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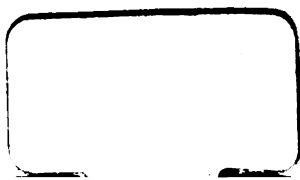
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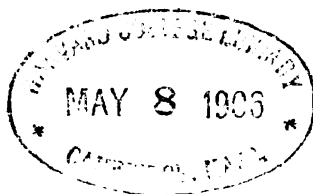
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THURSDAY, SEPTEMBER 21, 1775

Met according to adjournment.

The Committee of Acco^{ts} produced sundry accounts, viz.

An acco^t from Timothy Matlack, employed as clerk, amounting to sixty pounds fifteen shillings.

Ordered, that the same be paid.

The Congress proceeded to the election of a Brigadier General and the votes being brought in and the ballots examined, it was found that Col. [John] Armstrong and Col. [Joseph] Fry had equal votes.

On motion, *Resolved*, That the appointment of a Brigadier general be deferred.

The Congress then proceeded in the consideration of Gen^l Washington's letters,

Resolved, That General Washington be ordered to issue commissions to majors [Philip?] Box, [Alexander] Scammell, and Samuel Brewer, as Brigade Majors.

On motion made, *Resolved*, that General Schuyler be empowered to nominate and appoint a proper person to the office of Brigade Major in the army under his command and to issue a commission accordingly.

Resolved, That the pay of the judge Advocate for the army in the Massachusetts bay, for himself and clerk, fifty dollars per month, from the time of his appointment.

That a committee of five be appointed to take into consideration the memorial of the Commissary general, [Joseph Trumbull] and report their opinion on the best means of supplying the army with provisions.¹

¹ This action seems to have been taken on a letter from Washington dated 7 September, 1775, inclosing a proposal (unsigned) by Joseph Trumbull. The letter is endorsed "Read before Congress, 21 Sept. A Committee appointed on the subject." Both papers are in *Papers of the Continental Congress*, No. 152, I, folios 109-113.

The votes being taken, the following persons were elected, viz. Mr. [Thomas] Willing, Mr. [Silas] Deane, Mr. P[hilip] Livingston, Mr. [Thomas] Cushing and Mr. [Samuel] Ward.

An account of James Milligan, amounting to eighteen hundred and fifteen pounds 15. $\frac{3}{4}$. pensylvania currency for sundry sail cloth, Russia Sheeting, oznabrigs, &c. bought ||at the desire of Mr. Wilson, by order of the Congress, ||for the ||use of the|| continental army, ||amounting to 4,842 3-90 dollars.||

Ordered, that this be referred to the Committee of Accounts and that if upon examination it be found right they immediately pay it.

The Committee of Accounts produced an acco^t from the Committee of Berks County amounting to two thousand and seventy pounds, nine shillings, advanced and paid for the rifle companies and Col. [William] Thompson.

Ordered, That this be referred back to the Committee, who are to examine and pay the acco^t

Ordered, that the President write to Gen^l Washington and request him to order Col. [William] Thompson immediately to send to the Congress an account of the expenditure of 5,000 dollars paid him by order of the Congress on the 29th July, being in advance for the service of a Battalion of Riflemen under his command.¹

Resolved, That the Congress will, to Morrow, take into consideration the state of the trade of N. America.

Adjourned till to Morrow 9 o'Clock.

¹Thompson's statement of account is in the *Papers of the Continental Congress*, No. 152, I, 233.

FRIDAY, SEPTEMBER 22, 1775

The Committee of Acco^t produced an account of Andrew M'Nair, Door keeper, for his services, &c. amounting to twenty one pounds 13/6 [=57⁷/₈ dollars.]

Ordered, That the Committee pay the same.

Sundry letters were laid before the Congress and read, viz.

1st 2 from John Haring, chairman of the Committee of Safety in New York, dated 19 Sept. 1775, with sundry papers enclosed.

2^d. One from Messrs. L. Morris and J. Wilson, dated Pitsburg, 14 Sept^r 1775, with sundry enclosed papers.

The Committee of Safety for this province, having informed the Congress that they have taken into custody Major [Robert] Rogers, an officer in the King's service,

Resolved, That in case the Committee find nothing against Major Rogers, except that of his being a half pay officer, he be discharged, on giving his parole not to take up arms against the Inhabitants of America in the present controversy between Great Britain and America.

The order of the day being read,

On motion made, *Resolved*, That a Committee be appointed to take into consideration the state of the trade of America, and report their opinion.

That the Committee consist of seven.

The ballots being brought in and examined, the following members were elected to compose the foregoing committee, viz. Doct^r [Benjamin] Franklin, M^r J[ohn] Rutledge, M^r [John] Jay, M^r [Peyton] Randolph, M^r [Thomas] Johnson, M^r [Silas] Deane, and M^r [Thomas] Willing.

The Committee of accot^s produced an acco^t of William Shad, amounting to eighteen pounds [48 dollars], for his services as messenger, last session.

Ordered, That the committee pay the same.

Adjourned till to Morrow at 9 o'Clock.

SATURDAY, SEPTEMBER 23, 1775

Met according to adjournment.

On motion made, *Resolved*, That a Committee be appointed to purchase a quantity of woolen goods for the use of the army, to the amount of five thousand pounds sterling.

That the said woolens be placed in the hands of the quarter masters general of the continental armies, and be by them sold out to the private soldiers of said armies, at prime cost and charges, including a commission of five per cent to the said quarter masters for their trouble.

That the Committee consist of five.

The ballots being taken and examined, the following members were chosen: M^r [Francis] Lewis, M^r [John] Alsop, M^r [Thomas] Willing, M^r [Silas] Deane, and M^r [John] Langdon.¹

The Committee of acco^s produced two rec^s for money rec^d of James Whitehead, one from Richard Brown, ||a captain of one of the rifle companies from Maryland,|| for fifty pounds ||Pennsylvania currency, 133½ dollars.|| The other signed by Michael Cressop, [Cresap] ||a captain of the other rifle company from Maryland,|| for one hundred pounds ||Pennsylvania currency, 266½ dollars,|| rec^d for the use of their respective companies, marching to Boston in the continental service.

Ordered, That they be paid by the Committee.

¹See John Adams's Notes of Debates, in this volume.

Ordered, That the above accounts be paid to James Whitehead, and charged to the respective companies.||

On motion *Ordered*, That the Committee appointed to devise ways and means of supplying the Army with Medicines, do buy a parcel of Drugs in the hands of Mr. Rappalje, which he offers at the prime cost.

Adjourned till 9 o'Clock on Monday next.

MONDAY, SEPTEMBER 25, 1775

The Congress resumed the consideration of Gen^l Washington's letters N. 4 and 5, and after some debate

On motion *Resolved*, That a Committee of three be appointed to prepare an answer.

The ballots being taken and examined, the following members were chosen, viz. M^r [Thomas] Lynch, M^r [Richard Henry] Lee, and M^r J[ohn] Adams.

The committee of accounts having represented to the Congress, that in consequence of the order of Congress, dated 1 August last, they have drawn out of the treasury the sum of ten thousand dollars, and that over and above, they have drawn on the treasurers for the farther sum of one thousand nine hundred and twenty six $\frac{1}{4}$ dollars, to discharge sundry acco^{ts}, which the Congress ordered them to pay, they therefore move that the Congress will issue an order for the same to indemnify the treasurers.

The Congress taking this matter into consideration,

Resolved, That the Committee's draughts for the above sum be deemed valid, and allowed good in the treasurers' Accounts.

As Accounts are brought in different from those committed to the foregoing Committee to liquidate, and as it is proper that the accounts of the Continent be put into a

proper train of liquidation and settlement, in order for payment,

Resolved, That a Committee of accounts ||or claims|| be now raised to consist of one member from each of the United Colonies, to whom all accounts against the Continent are to be referred, who are to examine and report upon the same, in order for payment, seven of them to be a quorum.¹

That the Committee consist of the following members, viz. M^r [John] Langdon, M^r [Thomas] Cushing, M^r [Samuel] Ward, M^r [Silas] Deane, M^r [Francis] Lewis, M^r [Richard] Smith, M^r [Thomas] Willing, M^r [Cæsar] Rodney, M^r [Thomas] Johnson, M^r [Thomas] Nelson, M^r [Christopher] Gadsden, and Doct [John Joachim] Zubly.

That the former Committee deliver to the Committee now appointed, all the books, accounts, and papers in their hand.

The Delegates from Pennsylvania produced an acco^t of the powder imported, and how it has been disposed of.

The Congress resumed the consideration of the letter from Messrs. Morris and Wilson, of 14 Sept^r, with the enclosed papers, and after some debate, the same was referred till to Morrow.

Adjourned to 9 o'Clock to Morrow.

TUESDAY, SEPTEMBER 26, 1775

Met according to adjournment.

The order of the day was called for, but as the delegates for Virginia and Pennsylvania were not present, the Consideration of the letters and papers from Messrs. Morris and Wilson [was deferred] till to Morrow.

¹See John Adams's Notes of Debates in this volume.

The Committee appointed to prepare an answer to General Washington's letters, reported the same, which was read and agreed to.

Ordered, That the same ||being transcribed|| be signed by the president and forwarded immediately.

The Committee appointed to examine the journal of the Congress during the last sessions, ||in order for the press,|| reported a copy, which was ordered to be read.

||*Ordered*, That the remainder be read to Morrow.||

||Adjourned to nine o'clock to Morrow.||¹

WEDNESDAY, SEPTEMBER 27, 1775

The committee of Accoⁿ ||Claims|| applied to the Congress for advice how to charge sundry accounts,

The same being taken into consideration,

Resolved, That the expence of kettles, canteens, and spoons, supplied to the soldiers, be charged to the Continent.

Application being made in behalf of Connecticut for a sum of money on account of sundry advances for the use of the Continent,

Resolved, That the sum of one hundred and sixty thousand dollars be paid to Connecticut, on account for supplies issued by that colony for the service of the United Colonies, to be accounted for on the exhibiting their accounts.

The Committee of Accounts laid before the Congress three accounts.

One for a balance due to Robert Erwin, waggon master, amounting to eight hundred and eighty-seven dollars and one fifteenth of a dollar.

¹ "On the twenty-sixth Edward Rutledge, of South Carolina, moved the discharge of all the negroes in the army, and he was strongly supported by many of the southern delegates; but the opposition was so determined that 'he lost his point.'" Bancroft, *History of the United States*, IV, 261.

Another for sum due to George Frank, for riding express, amounting to thirty-eight dollars.

Another from the Committee of Northampton County, for money advanced for the rifle companies, amounting to three thousand one hundred and eighty-two dollars and thirty-nine ninetieths of a dollar.

Ordered, That the three above accounts be paid.

The Congress resumed the consideration of the report of the committee appointed to examine the journals of the last session, and the same being read over,

Ordered, That the same be published by the Secretary, and that he superintend and correct the press.

A memorial of Samuel and Robert Purviance, ||was presented and read,|| setting forth, that they had chartered a vessel to carry a load of wheat, that the sd vessel in going from Phila^d to Chester Town, [Maryland,] was lost in the late storm, by which he was prevented from exporting, before y^e 10 of Sept^r, the cargo which he had actually purchased; and therefore praying for liberty to export the said Cargo to a foreign port.¹

Ordered, to lie on the table.

Certain resolutions of the commee of the City and Liberties of Philadelphia, respecting an application made to them by a Captⁿ, for leave to take a cargo of flour to Gloucester, in Massachusetts bay, were laid before the Congress and read.

Ordered, To lie on the table.

Adjourned to 9 o'Clock on Friday.

FRIDAY, SEPTEMBER 29, 1775

A letter from Genl Washington, dated the 21 of Sept^r, with sundry enclosures, being rec^d by express, was laid before Congress and read.²

¹ See John Adams's Notes of Debates in this volume.

² This letter is in *Papers of the Continental Congress*, No. 152, I, folio 119, and is printed in *Writings of Washington* (Ford), III, 137.

~~Intimation being given to Congress that a quantity of powder was arrived,~~

~~On motion, Ordered, That the Comm^{rs} appointed to procure powder do make enquiry whether any powder is arrived and if so to purchase it for the use of the Continent.~~

The Committee of Accounts produced sundry acco^{ts} which they reported as just, viz.

John Powell's, for riding express, a ballance due to him amounting to forty-five dollars and one-third of a dollar.

Matthias Slough, for money advanced to the rifle companies, amounting to seven hundred and ten dollars and sixty-four ninetieths of a dollar.

James Alexander for riding express, a ballance due to him, amounting to one hundred and seventy-two dollars and twenty-six ninetieths of a dollar.

Ordered, That the above accounts be paid.

Upon motion made,

Resolved, That when any accounts are laid before the Congress and ordered to be paid, the orders be drawn ||on the treasurers|| and signed by the president.

Upon motion made,

Resolved, That a Committee of three members of this Congress be appointed to repair immediately to the camp at Cambridge, to confer with General Washington, and with the governor of Connecticut, and the lieut-Governor of Rhode Island, the council of Massachusetts, and the President of the convention of New Hampshire, and such other persons as to the said Committee shall seem proper, touching the most effectual method of continuing, supporting, and regulating a continental army.

Resolved, That the appointment of the sd committee be deferred till to Morrow.

Adjourned till to Morrow at 9 o Clock.

SATURDAY, SEPTEMBER 30, 1775

The Congress proceeded to the election of a Committee and a committee being appointed to examine the ballots reported that Mr. [Thomas] Lynch and Doct^r [Benjamin] Franklin were duly elected by a majority of Ballots, and that two other members had an equal number,

The Congress taking into consideration the report of the Committee on motion made,

Resolved, That the Congress proceed to the choice of a third person by ballot, and that this Rule be observed in all similar cases.

Accordingly, the ballots being taken and examined, the Committee of examination reported, that Mr. [Benjamin] Harrison is duly elected.

Resolved, That M^r Lynch Doct^r Franklin and M^r Harrison be the Committee for the purpose expressed in the resolution of yesterday.

Upon motion made,

Resolved, That a committee of five members be appointed to draw up Instructions for the above committee.

The ballots being taken, the following persons were elected: Mr. J[ohn] Rutledge, Mr. [Richard Henry] Lee, Mr. [Thomas] Johnson, Mr. [Robert] R. Livingston, and Mr. Sam^l Adams.

On motion made, *Resolved*, That the president write to General Washington, to inform him of the resolution of Congress, appointing a Committee to wait on him, in order to consult with him, touching the most effectual method of continuing, supporting, and regulating a continental army.

That a like letter be written to the Gov^r of Connecticut, and to request him, in case he cannot himself attend, that

he will appoint a proper person to represent that colony, to confer with the Committee of Congress on the subjects entrusted to them.

That a like letter be written to the council of Massachusetts Bay, and to the lieut-Governor of Rhode Island, and to the president of the convention of New Hampshire.

It being represented to the Congress, that from the present situation of affairs and the correspondence now carried on through N. A., it is apprehended that if the rate of postage is lowered agreeable to the resolution of Congress, the proceeds of the office will not support the necessary riders; and as the people in general are well satisfied with, at least no complaints have been made with regard to, the rates lately paid for the postage of letters,

On motion, *Resolved*, That the resolution of Congress respecting the lowering the rates of postage be suspended until farther orders from this Congress.

The committee of claims reported,

That a certificate presented by William Hall, signed by Capⁿ Daniel Morgan, for necessaries furnished by George Kiger to his company ought to be allowed,

That another certificate presented also by William Hall, and signed by Capt. Daniel Morgan, for necessaries to his company by Meshech Sexton, is reasonable and ought to be paid, both the above sums, amounting in the whole to seventy-one and two-thirds dollars, and that the said sum ought to be charged to said Capt. Morgan's company.

That an account of necessaries furnished by John Jordan, of Lancaster, for Cap^t Ross's and Capt Smith's Companies of riflemen, amounting to the sum [of] four hundred and thirty-two and 2/10 dollars, is reasonable and ought to be paid and charged to the Continent.

The Congress taking into consideration the above report, *Ordered*, that the above accounts be paid.

The resolutions of the Committee of the City and liberties of Philad^a

Referred to Monday next.

~~Information being given that a number of Connecticut men were come down in a hostile manner within 12 miles of Sunbury, a town in this province, and were entrenching themselves, and a motion being made take the~~

The Committee appointed to consider the trade of America, brought in their report, which was read, and referred to Monday next.

Adjourned to 10 o'Clock on Monday next to meet at the Lodge.

MONDAY, OCTOBER 2, 1775

The Congress resumed the consideration of the report of the Committee on trade, and, the same being read,

Upon motion,

Resolved, That this Congress will, to Morrow, resolve itself into a committee of the whole, to take into consideration the above report.

Your Committee having in obedience to the order of this House taken into Consideration the Trade of the thirteen United Colonies, are of opinion

1. That the Regulations respecting Imports and Exports agreed to by this and the preceding Congress ought to be continued and observed. And further that no *Lumber, Hides, Leather, live stock*, or Deer Skins, should be exported from these Colonies to any Part of the World.

2. That the Island of Bermuda be permitted under the Direction and Inspection of the Provincial Convention or ~~Committee of Safety~~ of General Committee of the City of¹ [] in the Colony of ——— annually to purchase for their own Consumption and export from the Port of ———, and from no other Place. And that they be allowed to pay for the same in Salt or any other Commodities not of the Growth or Manufacture of or exported from Great Britain or Ireland, except Tea.

¹ These four words are in a writing other than Jay's.

3. As the Cessation of the American Trade with Ireland originated in Policy dictated by Principles of self Preservation and may be attended with Distress to a People who have always manifested a Noble Regard to the Rights of Mankind and have ever been friendly to these much injured Colonies, ~~Your Committee are of opinion that great Kindness and Attention ought to be paid to such of that oppressed Nation as have or may come to settle in America, and that it be earnestly recommended by this Congress to the good People of these Colonies to let them have Lands at a cheap Rate, and on easy Terms, and that the several Conventions and Assemblies and Committees throughout these confederate Countries, afford them Aid and do them every friendly office.~~ And it having been represented to your Committee that the withholding Flax seed from Ireland will be attended with a much greater Degree of Distress and Ruin to the poor of that Kingdom, than the Congress apprehended, they are of opinion that our Friends and Fellow Subjects in Ireland should be admitted to take Flax seed from these Colonies in Exchange for all such Powder and other military Stores and woolen Yarn of their Manufacture as they shall bring to America.

4. That as the Manufactory of Woolens in these Colonies, tho' rapidly advancing may not furnish an immediate Supply of Cloathing, your Committee think it would be for the Interest of the Inhabitants to go into the Practice of wearing ~~Deer-Skin~~ leather Waist Coats and Breeches, and that the Members of this Congress should set the Example.¹

5. That to encourage the internal Commerce of these Colonies, your Committee think Provision should be made to facilitate Land Carriage, and therefore are of opinion that it should be recommended by this Congress to the several provincial Conventions and Assemblies, to put their Roads in good Repair, and particularly the great Roads that lead from Colony to Colony. And that such Troops as may be quartered and unemployed in the Neighbourhood of such Roads be aiding and assisting therein. And that the Colony who shall employ any Soldiers in that Service, pay to each ~~Man~~ of them the (sixth of a dollar) for every Day in which they shall be so employed.²

¹ See page 293 post.

² This paper, in the writing of John Jay, is in *Papers of the Continental Congress*, No. 24, folio 1, and bears an endorsement: "Report of the Committee on Trade No. 1. Read Monday, 2 Oct. 1775, referred to the Committee of the Whole, appointed to sit Oct: 3."

The Committee appointed to prepare Instructions for the Committee ordered to wait on the General, reported a draught, which was read and being debated by paragraphs, was agreed to as follows:

Instructions to the Committee appointed by the Congress to repair immediately to the Camp at Cambridge to confer with General Washington and with the Governours of Connecticut and Rhode Island, The Council of Massachusetts Bay and the President of the Convention of New Hampshire and such other Persons as to the s^d Committee shall seem proper, touching the most effectual Method of continuing, supporting and regulating a Continental Army.

1. That upon the Committee's Arrival at this Camp, they cause proper Methods to be taken for continuing the Connecticut Troops now near Boston in the Continental Service upon the same Terms they are at present untill the last Day of next December.

2. That in the Conference with the General, the Committee declare to him the Sense of the Congress respecting an Attack on the Ministerial Troops at Boston and on Bunkers Hill, viz. That if before the last Day of December his Excell^y upon Consideration of all Circumstances shall think it practicable and likely to defeat the Enemy and gain Possession of the Town it will be adviseable to make the Attack upon the first favourable Occasion and before the Arrival of Reinforcement, which the Congress apprehend may be soon expected, the Congress having the most perfect Confidence in the Courage and good Conduct of the General and his Officers, and the Spirit and Bravery of the Men under his Command. If the Number of Men which compose the present Army, should be thought insufficient for the Purpose, that the General employ so many minute Men as he may apprehend to be necessary on the Occasion, upon such Terms, as he shall think proper. That if the Attack should not be made by the Time above mentioned, it is the Wish of the Congress, that the Number of the Army for the Remainder of the Winter should be reduced and the Pay of the Men lessened to 5 Dollars per Calendar Month: if these may be done with Safety: But that the Attack should nevertheless be made under the foregoing Circumstances as soon as a favourable Opportunity shall offer with the Troops then in the Service and the Assistance of the Minute Men above mentioned.

3. That the Committee confer with the General and whom else they think proper on the Subject of raising a Continental Army and keep-

ing it up one Year from the last Day of December next subject to be disbanded or reduced by Order of the Congress within that Time upon being allowed one Months Advance Pay and report to the Congress of what Number it should consist, what should be the Pay of the Officers and Privates, that of some of the former in the present Army being it is apprehended too low, and that of the latter too high; What Number each Company? and how many Companies a Regiment should contain; of what Quantity and kind of Provisions a Ration should consist; the best Method of providing Arms, Cloathing and Provisions for the Troops; What Rules and Regulations are necessary for their Government; by whom the Officers should be chosen and recommended; how the best Officers and Men in the present Army may be engaged for the next making a complete Arrangement of the whole, by putting all the Forces in what Colony soever recruited on one Establishment in every Respect and thereby abolishing all Provincial Distinctions; that the Committee report, how, when, and where the said Army may be best raised and levied.

4. That they confer and consult as above directed on the several other Matters mentioned in the General's Letters to the Congress, upon which no Order has been made, and the best Methods of removing the Difficulties or remedying the Evils therein stated, and upon any other Matters which in the Course of this Business may occur to the Committee relative thereto and make Report thereon to the Congress.

5. That the Committee having made the necessary Inquiries report what Number of effective Men it may be expected that the Colonies of New Hampshire Massachusetts Bay and Rhode Island respectively could and would furnish if necessary by the 10th March next and on what Terms.

6. That the Committee report an Estimate of the Expence which will attend the Measures they may recommend or submit to the Congress.

7. That the Committee appointed to confer with General Washington consider as included in their Inquiry not only the Forces necessary to be kept in the Massachusetts Bay but in the Northern Department, and that they obtain and report as exact an Estimate as they can of the Expences which have been and by the 1st December next will be incurred in Pursuance of the Resolution of the Congress for putting these Colonies into a proper State of Defence.¹

¹ From a copy in the writing of Joseph Reed, in the *Washington Papers*, Letters to Washington, Vol. 89, folio 41.

Upon motion,

Resolved, That where months are used, the Congress means calendar months by which the men in the pay of the Continent are to be regulated.

Resolved, That the pay of the second lieutenants in marching Regiments be the same as that of the first lieutenants.

||Adjourned to nine o'Clock to Morrow.||

TUESDAY, OCTOBER 3, 1775

The Committee of claims reported to the Congress as follows:

That the account of Frederick Bicking for 56 Reams of paper for the continental currency, amounting to 388 8/10 dollars, is reasonable.

That the account of Samuel Baughman, for the entertainment of Cap^t Ross's company, amounting to 14 1/10 dollars, is reasonable.

That two accounts of the committee of Trenton for waggonage and sundry expresses, amounting together to the sum of 103 8/10 dollars are reasonable.

That two accounts delivered in by Caspar Weitzell, for expences for diet and provisions for Cap^t Lowden's company of Riflemen, amounting, together, to the sum of 44 6/10 dollars, are reasonable.

That two accounts delivered in by Miles and Wister, for necessaries furnished by John Harris, jun. and Elias Younkman, to Capt. Lowden's company of Riflemen, amounting together to 96 dollars, ought to be paid and charged to the said company.

Ordered, That the above accounts be paid, and that the president draw orders for the same.

The Committee of Claims farther informed the Congress that there are a number of Carabines and pistols

provided for the Hussar Company, which the Committee of Safety for the Province of Pennsylvania are willing to take at the first cost.

Resolved, That the said Carabines and pistols be delivered to the order of the Committee of Safety of Pennsylvania, they paying the first cost.¹

The Committee of claims reported an acco^t of Frederick Blankenberg and Leonard Stein, retained as hussars, on which they desired to know the determination of Congress.

Ordered, That the above named [Frederick Blankenberg and Leonard Stein] be allowed to retain the cloaths made for them, and that, over and above, they be paid 16 dollars each for the time they were retained in service.

On motion made, *Resolved*, That the Commissary general contract for such quantities of beef and pork as may be thought proper by the General, and have the same salted up in convenient houses near the camp, according to his scheme recommended by the General to the consideration of the Congress.

Resolved, That the sum of three hundred thousand dollars be immediately sent to the Paymaster general, for the use of the army in the Massachusetts bay.

That the committee who are appointed to repair to the camp, be requested to take the charge of the above sum, or as much of it as they conveniently can.

Resolved, That the expences of the Committee be paid out of the Continental Treasury.

Resolved, that General Washington may, if he thinks proper, for the encouragement of an Attack on Boston, promise, in case of success, a month's pay to the army

¹ In the margin of the Corrected Journal is found the following entry: "As the Com. of Safety have not taken the arms &c—whether this ought to be published."

and to the representatives of such of our brave country-men as may chance to fall, and in case success should not attend the attempt, a month's pay to the representatives of the deceased.

One of the Delegates for Rhode Island laid before the Congress a part of the Instructions given them by the House of Magistrates, Aug. 26, 1775, in these words, viz:—

Whereas notwithstanding the humble and dutiful petition of the last Congress to the King, and other wise and pacific measures taken for obtaining a happy reconciliation between Great Britain and the Colonies, the ministry lost to every sentiment of justice, liberty and humanity continue to send troops and ships of war into America, which destroy our trade, plunder and burn our towns and murder the good people of these colonies. *Resolved*, That this Colony most ardently wishes to see the former friendship, harmony and intercourse between Britain and these Colonies restored, and a happy and lasting connection established between both countries upon terms of just and equal liberty and will concur with the other colonies in all proper measures for obtaining those desirable blessings; and as every principle divine and human requires us to obey that great and fundamental law of nature, self preservation, until peace shall be restored upon constitutional principles; this colony will most heartily exert the whole power of government in conjunction with the other colonies for carrying on this just and necessary war, and bringing the same to a happy issue, and amongst other measures for obtaining this most desirable purpose, this Assembly is persuaded, that the building and equipping an American fleet, as soon as possible, would greatly and essentially conduce to the preservation of the lives, liberty and property of the good people of these Colonies and therefore instruct their delegates to use their whole influence at the ensuing congress for building at the Continental expence a fleet of sufficient force for the protection of these colonies, and for employing them in such manner and places as will most effectually annoy our enemies, and contribute to the common defence of these colonies, and they are also instructed to use all their influence for carrying on the war in the most vigorous manner, until peace, liberty and safety are restored and secured to these Colonies upon an equitable and permanent basis.

Upon motion, *Resolved*, That the Congress will on Friday next take the above into consideration.¹

Resolved, That this Congress will to Morrow resolve itself into a Committee of the whole to take into consideration the state of trade of these Colonies.

Resolved, That the Committee appointed to repair to the camp, do confer with M^r [David] Rittenhouse, and enquire of him whether he apprehends he could be of service to the Continent as an Engineer, and, if so, to engage him, and desire he would, with all convenient speed, repair to the Camp.

Adjourned to 9 o'Clock to Morrow.

WEDNESDAY, OCTOBER 4, 1775

The Committee of Claims reported their opinion,

That the acco^t of the Comm^o of Bedford County, for necessaries furnished to the company of riflemen raised in that County is just and that the same ought to be paid, amounting to the sum of £283.5.1 Pens. Curr^t (=755 1-3 dollars,) of which sum £48.5 [128 2-3 dollars] ought to be charged to the continent, and the remaining sum of £235.0.1 [626 2-3 dollars] ought to be charged to Captⁿ Robert Cluggage's company, as so much of their pay advanced to them.

Ordered, That the above sum be paid.

Two members who undertook to receive and count the money, for which an order passed yesterday, to the paymaster General, reported that they found only 189,467 dollars ready in the treasury, which they received and have packed up ||ready to be sent forward,|| which they received and have packed up, and for which they gave their own rec^d, and returned the order drawn by the President.

¹ These words in the "corrected Journal" are in the writing of Samuel Adams.

An additional Instruction was given to the Committee appointed to confer with the General, which was ordered to be transcribed, and added to the former.

Permission granted for the Sloop *Bentham*, William Moore, Master, with a parcel of sea stores enumerated to proceed to S[outh] Carolina.

The Congress, then agreeable to the order of the day, resolved itself into a Committee of the whole, to take into consideration the state of the trade of the thirteen Colonies, and, after some time spent therein, the president resumed the chair, and M^r: [Samuel] Ward reported, from the committee that they had taken into consideration the matter referred to them, but not having come to any resolution, desired leave to sit again.¹

Resolved, That this Congress will, to Morrow, resolve itself into a Committee of the whole, to take into farther consideration the trade of the 13 Confederated Colonies.

Adjourned to 9 o'Clock to Morrow.

THURSDAY, OCTOBER 5, 1775

Agreeable to order, the Congress resolved itself into a Committee of the whole, to take into farther consideration the state of the trade of the 13 confederated Colonies, and, after some time spent therein, the president resumed the chair, and M^r: [Samuel] Ward reported from the committee, that they had not come to any conclusion, and desired leave to sit again.

Resolved, That this Congress will, to ||morrow, resolve itself into a committee of the whole, to take into their further consideration the state of the trade of the thirteen United Colonies.||

Sundry letters rec^d from London were laid before Congress.

¹ See John Adams's Notes of Debates in this volume.

On motion,

Resolved, That a Committee of three be appointed to prepare a plan for intercepting two vessels, which are on their way to Canada, loaded with Arms and powder, ||and that the committee proceed on this business immediately.||¹

The Com^{ee} of claims reported:

That an Acco^t of M^r Stille, of Trenton, of the Expence of Cap^t Ross, and others, ought to be paid and charged to the s^d Ross, until he makes it appear to be just and reasonable, that the same be charged to the continent, amounting to £12. 6. 4 Pens^r Curr^r, = [32 76/90 dollars.]

That an acco^t rendered by Charles Axford, for provisions for Capt Ross's company is reasonable and that the same ought to be paid, amounting to £3. 0. 3 = 8 3/90 dollars.

That an acco^t rendered by Charity Britton, for provisions for the Capt. Ross's company is reasonable and ought to be paid, amounting to £3. 13. 0 = 9 66/90 dollars.

That an acco^t rendered by Joseph Clunn, for provisions for the same company, amounting to £2. 19. 8 = 7 86/90 dollars, is reasonable and ought to be paid.

That an account rendered by W^m and Tho^s Bradford, for printing, amounting to £67. 0. 10 = [178 7/90] dollars, is reasonable and ought to be allowed.

Ordered, That the above acco^{ts} be paid.

¹John Adams wrote in 1813: "As it lies in my mind, Captain John Manley applied to General Washington, in Cambridge, in 1775, informed him that British transports and merchant ships were frequently passing and repassing unarmed, and asked leave to put a few guns on board a vessel to cruise for them. Washington, either shrinking from the boldness of the enterprise, or doubting his authority, prudently transmitted the information to Congress in a letter. When the letter was read, many members seemed much surprised; but a motion was made, and seconded, to commit it to a special committee. Opposition was made to this motion, and a debate ensued; but the motion prevailed by a small majority. The committee appointed were John Langdon, Silas Deane and John Adams. We met, and at once agreed to report a resolution, authorizing General Washington to fit and arm one or more vessels for the purpose. A most animated opposition and debate arose upon this report, but the resolution was carried by a small majority." *John Adams to John Langdon*, 24 January, 1813. Langdon saw nothing in this statement requiring correction.

Resolved, That Timothy Matlack, of this city, be employed as a store keeper, and that the implements provided for the hussars be put under his care, also the tents and linen, &c. purchased for the army some time since.

The com^{ee} appointed to prepare a plan ||for intercepting the two vessels bound to Canada,|| brought in their report, which being read,

Resolved, That a letter be sent by Express to Gen^l Washington, to inform him, that they [Congress] having rec^d certain intelligence of the sailing of two north country built Brigs, of no force, from England, on the 11 of August last, loaded with arms, powder, and other stores, for Quebec, without a convoy, which it being of importance to intercept, that he apply to the council of Massachusetts bay, for the two armed vessels in their service, and despatch the same, with a sufficient number of people, stores, &c. particularly a number of oars, in order, if possible, to intercept s^d two Brigs and their cargoes, and secure the same for the use of the continent; Also, any other transports laden with ammunition, cloathing, or other stores, for the use of the ministerial army or navy in America, and secure them in the most convenient places for the purpose abovementioned; that he give the commander or commanders such instructions as are necessary, as also proper encouragement to the marines and seamen, that shall be sent on this enterprize, which instructions, &c., are to be delivered to the commander or commanders sealed up, with orders not to open the same until out of sight of land, on account of secrecy.

That a letter be wrote to s^d hon^{ble} council, to put s^d vessels under the General's command and direction, and to furnish him instantly with every necessary in their power, at the expence of the Continent.

Also that the General be directed to employ s^d vessels

and others, if he judge necessary, to effect the purposes afores^d; informing the General that the Rhode Island and Connecticut vessels of force will be sent directly after them to their assistance.

That a letter be wrote to Gov^r Cooke, informing him of the above, and desiring him to despatch one or both the armed vessels of the colony of Rhode Island on the same service, and that he take the precautions abovementioned.

Also that a letter be wrote to Gov^r Trumbull, requesting of him the largest vessel in the service of the colony of Connecticut, to be sent on the enterprize aforesaid, acquainting him with the above particulars, and recommending the same precautions.

That the encouragement recommended by this Congress to be given shall be, on this occasion, that the master, officers and seamen, shall be intituled to one half of the value of the prizes by them taken, the wages they receive from the respective colonies notwithstanding.¹

That the s^d ships and vessels of war to be on the continental risque and pay, during their being so employed.²

Adjourned till to Morrow at 9 o'Clock.

FRIDAY, OCTOBER 6, 1775

Two letters from Gen^l Schuyler, dated Ticonderoga, 25 and 28 Sept^r, with enclosures, were rec^d and read.

On motion made,

Resolved, That orders issue to the continental Treasurers, to collect for continental bills, a quantity of silver and gold, not exceeding £20,000 pensyl^r curr^r [53,200 dollars], for the use of the army in Canada.

¹ On the margin of the "corrected Journal" the words "2. this particularly" were written against this paragraph.

² Two letters from Schuyler, dated September 25 and 28, were read this day. They are in *Papers of the Continental Congress*, No. 153, folios 166 and 172.

On motion made,

Resolved, That it be recommended to the several provincial Assemblies or Conventions, and councils or committees of safety, to arrest and secure every person in their respective colonies, whose going at large may, in their opinion, endanger the safety of the colony, or the liberties of America.³

Ordered, That an authentic Copy of the above be by the delegates transmitted to proper persons in their respective colonies.

On motion made

Resolved, That the Committee appointed by this Congress for the importation of powder, export, agreeable to the continental Association, as much provisions or other produce of these colonies, as they shall judge expedient for the purchase of arms and ammunition.³

The Congress took into consideration the letter from New York, respecting the fortifications ordered to be erected on Hudson's River, and after some debate

Resolved, That a Committee of three be appointed to take the same into consideration and report to Morrow morning their opinion of the answer proper to be sent to the Convention of New York.

The ballots being taken the following gentlemen were chosen, viz: M^r [John] Morton, M^r [Silas] Deane, and M^r R[obert R.] Livingston.¹

The Committee appointed to prepare a plan for intercepting the vessels coming out with arms and ammunition bro^t in their report, which was read:

||*Ordered*, To lie on the table, for the perusal of the members.||

Resolved, That this Congress will to Morrow resolve

¹ See John Adams's Notes of Debates in this volume.

itself into a com^{ee} of the whole to take into consideration the state of the trade of America.

Resolved that the consideration of the resolve submitted by the delegates of Rhode Island, which was referred to this day, was put off till to Morrow.

Adjourned till to Morrow at 9 o'Clock.

SATURDAY, OCTOBER 7, 1775

Sundry letters from N. York was laid before the Congress and read.

Agreeable to the order of the day the Congress resumed the consideration of the Resolution submitted by the Delegates of Rhode Island, and

Upon motion, *Resolved*, That the consideration of it be deferred till Monday 16 Ins¹

On motion, *Resolved*, That an order be drawn on the treasurers, in favour of Francis Lewis, John Alsop, Thomas Willing, Silas Deane, and John Langdon, Esqrs. for the sum of five thousand pounds sterling, to pay for the goods they were ordered to purchase for the use of the continental army.

The committee appointed to take into consideration the letter from the Convention of New York, respecting the fortifications ordered to be erected on Hudson's River, brought in their report, which being read, was agreed to, as follows:

That the provincial Convention of New York be directed immediately to render Hudson's river defensible; That in doing this they be particularly attentive to form such works as may be finished before the winter sets in. That it is very doubtful whether any stone work can be properly made at this advanced season, it is therefore sub-

¹ See John Adams's Notes of Debates in this volume.

mitted to the judgment of the convention, whether it could not be more cheaply and expeditiously done by works of wood or fascines. If they should think otherwise, that they be directed to go on with the work in the way which they think best, since it is the opinion of this Congress that the work should by no means be neglected.

But if the work be already begun on the plan sent us, that they render such parts as can be first finished defensible, so that the labour be not thrown away, if an attack should be made before the whole can be finished.

That the convention be directed to enquire whether there are not some other places where small batteries might be erected, so as to annoy the enemy on their passage, particularly, a few heavy cannon at or near Moore's house, and at a point on the west shore, a little above Verplank's point.

That it be recommended to the said convention, to establish, at proper distances, posts to be ready to give intelligence to the country, in case of any invasion, or by signals to give alarms in case of danger, and that they confer with the Assembly of Connecticut, and Convention of New Jersey, on the speediest manner of conveying intelligence in such cases, and receiving assistance when necessary.

That the convention be farther directed to take the most effectual method to obstruct the navigation of the said river, if, upon examination, they find it practicable.¹

On motion made,

Resolved, That orders be sent to General Wooster, in case he has no orders to the contrary from General Schuyler, that he immediately return to the batteries erecting in the highlands, and there leave as many of his troops, as the conductors of the works shall think will be

¹ See John Adams's Notes of Debates in this volume.

necessary for compleating them, and that he repair with the remainder to New York.

A member from Pennsylvania¹ laid before the Congress a Resolve passed in their House ||of assembly,|| in these words:

IN ASSEMBLY, *September 30, 1775*

The house taking into consideration the several letters sent down yesterday by the Governor, acquainting him with the intrusion of a number of people into this province, under a pretended claim of the colony of Connecticut, to the great annoyance of the good people of this province:

Resolved, That the delegates for this province, be specially directed to lay the same before the Congress, with the mischievous tendency the pursuing such measures will have, and procure the aid of that assembly to quiet the minds of the good people of this province, and prevent further intrusion or extension of settlements under the said claim, until the matter shall be determined by the King and Council, to whom both sides have submitted the dispute.

Extract from the Journals,

CHARLES MOORE, *Clerk of Assembly*.

Resolved, That the same be referred to the delegates from Pensyl^y and Connecticut, who are desired to report on Monday next.

Resolved, that the Congress will on Monday resolve itself into a com^{ee} of the whole to take into consideration the state of the trade of America.

Resolved, That the letter from Messrs. Morris and Wilson ||of the 14th of September,|| be referred to Monday next.

Resolved, that the Consideration of the resolve of Rhode Island be referred till next Monday week.

||Adjourned to nine o'clock on Monday to meet at the State House.||

¹The member was George Ross. See John Adams's Notes of Debates in this volume.

STATE HOUSE, MONDAY, OCTOBER 9, 1775

A letter from Jos: Trumbull, Commissary Gen^l, dated 23 Sept^r, 1775, was laid before the Congress and read, desiring that five hundred pounds lawful money, [1,666 2-3 dollars] be paid to M^r Tracy, for money by him advanced to Col. Arnold, for the use of the Continent, and that the s^d sum be charged to his accounts.

Resolved, That an order be drawn for the above sum ||on the treasurers for the above sum in favour of Mr. Tracy, and that the same be charged as above.||

~~As the success of the expedition to Canada depends upon supplying Gen^l Schuyler with a quantity of Gold and Silver, and it being represented to the Congress that there is in the treasury of this province a quantity of Gold and Silver to be exchanged for money in the said province,~~

~~Resolved, that the delegates of this province immediately wait on the treasurer and desire him to deliver to the continental treasurers the gold and silver in his hands, provided the same do not exceed twenty thousand pounds pensylv^a Currency, and receive from them in exchange the money of this province or continental bills.~~

On motion made, *Resolved* That Mr. Duane be appointed to apply to the Committee of Safety of this Province and request them to lend one ton of gun powder, which is to be sent to New York, and from thence, what of it can be spared, be by the provincial convention of New York immediately forwarded to Gen^l Schuyler.

A number of Letters from General Schuyler, with an enclosed letter from Gen^l Montgomery, and sundry other papers enclosed were laid before the Congress and read.¹

On motion made, *Resolved*, That a Com^{ee} of five members

¹ Letters from Schuyler dated September 19 and 29 (2 of the latter date) are in *Papers of the Continental Congress*, No. 153, I, folios 140, 180 and 188.

be appointed to take into consideration the letters from Gen^l Schuyler and the several matters therein contained, and report an answer.

The ballots being taken and examined the following members chosen, viz. M^r John Adams, M^r Jno. Rutledge, M^r [Samuel] Chase, M^r R[obert R.] Livingston, and M^r [Silas] Deane.

The Delegates of Pensyl. and Connecticut, being ready to report on the matter referred to them,

Resolved, That they bring in their report on Wednesday next.

On motion, *Resolved* that the delegates for Pensylv^a do receive from the treasurers what sum of gold and silver they have collected, and forward the same by M^r ——¹ to Morrow morning to Gen^l Schuyler and to apply for two of the light horse well armed to accompany him and assist in carrying the money.

On motion made, *Resolved*, That it be recommended to the Convention of New Jersey, that they immediately raise, at the expence of the Continent two Battalions, consisting of eight companies each, and each company of 68 privates, officered with one Captⁿ, one lieutenant, one ensign, four serjeants, and four corporals.

That the privates be inlisted for a year, at the rate of five dollars per calendar month, liable to be discharged at any time, on allowing them one month's pay extraordinary.

That each of the privates be allowed, instead of a bounty, a felt hat, a pair of yarn stockings, and a pair of shoes; the men to find their own arms.

That the pay of the Officers, for the present, be the same as that of the officers in the ||present|| continental

¹ The messenger was probably Levi Hollingsworth. See Journals, 25 November, 1775.

army, and in case the pay of the officers in the army is augmented the pay of the officers in these battalions shall be, in like manner, augmented from the time of their engaging in the service.¹

Resolved, that this Congress will to Morrow resolve itself into a com^{ee} of the whole to take into consideration the trade of these colonies.

A Letter from the Convention of N. York enclosing a proposal for procuring powder was taken into consideration.

Resolved, that the same be referred to the secret powder Com^{ee}.

Adjourned till 9 o'Clock to Morrow.

TUESDAY, OCTOBER 10, 1775

The Committee of Claims reported the following accounts as reasonable, and which ought to be paid, viz.

The acco^t of Du Simitière, amounting to 8 dollars, for translating the Address of the united Col., to the Inhabitants] of Quebec.

William Govet's acco^t of the expences of a party of 27 men escorting powder to Trenton, amountg to 67 2/10 dollars.

David Rittenhouse's for 36 cutts for the continental money, amounting to 48 dollars.

John Thornton's account of provisions for part of Captain Ross's company, and ferriage, amounting to 10 dollars.

Christopher Ludwic's account of sundry expences in forwarding powder to Ticonderoga, amounting to 41 2/10 dollars.

|| Ordered, That the said accounts be paid. ||

¹ These resolutions were printed in the *Pennsylvania Packet*, 30 October, 1775. See John Adams's Notes of Debates in this volume

On motion made, *Resolved*, That the money be sent to Gen^l Schuyler under an escort of 4 of the light horse of this city.

Adjourned for one hour.

Eodem Die.

Met according to adjournment.

The President reported that he had despatched an express to Gen^l Schuyler with six thousand three hundred and sixty four pounds Pennsylvania curr^y in silver and gold, = 16,970 $\frac{2}{3}$ dollars, with an escort of four of the light horse of this city.

The Committee appointed to prepare an answer to Gen Schuyler's letters, reported a draught, which was read.

Ordered to lie on the table for y^e consideration of the members.

A motion being made relative to the appointment of officers ||in the continental army,|| and the same being largely debated, the determination thereon was put off till to Morrow.

Resolved, that this Congress will to Morrow resolve itself into a Committee of the whole to take into consideration the state of the trade of the united colonies. ¶

Adjourned till to Morrow at 9 o'Clock.

WEDNESDAY, OCTOBER 11, 1775

The orders of the day being read,

||The delegates of Connecticut and Pennsylvania were called on to report, on the matter referred to them, but not being yet ready,||

Ordered, that the delegates of Connecticut and Pennsylvania do meet this afternoon and prepare a Report to be laid before Congress to Morrow respecting the disputes

between the inhabitants of these colonies on the lands in the forks of Susquehannah.

The Committee of Claims reported the following accounts as reasonable, viz:

The Account of monies advanced by the com^{ee} of Elizabeth town, for cartage, expresses, and for provisions furnished to Captain Ross's comp^y, amounting to 98 3/10 dollars.

James Leslie's acco^t of necessaries furnished to Capt Ross's company, amounting to 14 8/10 dollars.

N. B. Of the acco^t paid by the Committee of Elizabeth town to Broughton Runold, amounting to 3 3/4 dollars ought to be charged to Captⁿ Ross.

Ordered, That the above accounts be paid.

The Congress resumed the consideration of the motion made yesterday, for appointing of officers, and after debate,

The same was postponed.

On motion made, *Resolved*, That a Committee of three be appointed to report the best method of billeting the soldiers for the continental army, and what subsistence ought to be allowed them on their march, ||what subsistence ought to be allowed to the officers and soldiers in the continental service, when on their march, and in quarters, before they join the army.||

The ballots being taken and examined, the following members were chosen, M^r [James] Kinsey, M^r [Silas] Deane, and M^r [John] Langdon.

The Congress took into Consideration the answer to General Schuyler, which being debated ||by paragraphs,|| was agreed to.

Ordered, That the same be transcribed and forwarded.

The order of the day renewed,

The Committee appointed to report the best method of billeting the soldiers, &c., brought in their report, which was read.

Ordered to lie on the table to be taken up to Morrow.
Adjourned till to Morrow, 9 o'Clock.

THURSDAY, OCTOBER 12, 1775

The Congress taking into consideration the report of the Committee respecting the billeting of soldiers, &c.

Resolved, That each captain and other commission officer, while in the recruiting service of this Continent, or on their march to join the army, shall be allowed two dollars and two thirds [of a dollar] per week, for their subsistence, and that the men who enlist shall each of them, whilst in quarters, be allowed one dollar per week, and one dollar and one third of a dollar when on their march to join the army, for the same purpose.

That the president transmit to the Convention of New Jersey, blank commissions, to be filled up by the said Convention, to the captains and subaltern officers in the said two battalions ||to be raised in that colony;|| and that the appointment of the field officers be for the present suspended, until the Congress shall take order on that matter.

[The form of the enlistment to be in the following words, viz.

*I —— have this day voluntarily enlisted myself as a soldier in the American Continental army for one year, unless sooner discharged, and do bind myself to conform in all instances to such rules and regulations as are or shall be established for the government of the said army.]*¹

¹The form of enlistment was not entered upon the Journal, but was printed as part of the resolution in the *Pennsylvania Packet*, 30 October, 1775.

John Penn, Esq^r one of the delegates for North Carolina, appeared in Congress, and produced his credentials, which were read and approved, as follows:

NORTH CAROLINA.

NORTH CAROLINA, HILLSBOROUGH. IN CONGRESS, 8th Sept. 1775.

Mr. Caswell informed the Congress, that as they had done him the honour to appoint him Treasurer of the Southern District of this Province, and one of the Signers of the Public Bills of credit, his attending those duties would render it entirely out of his power to attend the Continental Congress, as one of the Delegates of this Province; he therefore Requested this Congress would be pleased to appoint some other Gentleman in his Stead.

Whereupon, it is Resolved, that John Penn, Esq^r be, and he is hereby appointed a delegate in behalf of this Province, in Conjunction with William Hooper, and Joseph Hewes, Esq^r and that he be invested with the same powers, and entitled to the like Allowance, that the said Richard Caswell would have been Vested with, and entitled to, under a former Resolution of this Congress.

By order,

signed,

SAMUEL JOHNSTON, *President*.

ANDREW KNOX, *Secretary*.¹

The Committee of Claims reported their opinion:

That two accounts rendered by Peter Cooper, one for several articles furnished to Captⁿ Cresap's company in Lancaster, (to be charged to said company) [amounting] to 2 1/5 dollars; the other for 34 pair of boots, made by him for the Hussar company, amounting to 113 1/3 dollars, are reasonable and ought to be paid.

That Francis Wade's account of expences of himself and party of 18 men escorting Gov^r Skeene and Mr. Lundy to New York, amounting to 445 65/90 dollars, ought to be paid.

Ordered, That the above accounts be paid.

Ordered, That the president transmit to the Conven-

¹ The original is in the *Papers of the Continental Congress*, No. 76, folio 5.

tion of New Jersey a certified copy of the resolutions for raising two battalions and for the subsistence of the officers and men.

On motion made, *Resolved*, That a similar recommendation issue to the Assembly or Committee of Safety of Pennsylvania to raise one battalion on the same terms as those ordered to be raised in New Jersey, and to be officered in like manner.

Resolved, That the men enlisted be furnished ||at the continental expence,|| with a hunting shirt, not exceeding in value 1 1/3 dollar, and a blanket, provided these can be procured, but not to be made part of the terms of enlistment.¹

Agreeable to the order of the day, the Congress resolved itself into a Committee of the whole, to take into their further consideration the state of the trade of the confederated Colonies, and after some time spent therein, the president resumed the chair, and M^r [Samuel] Ward reported, from the Comm^{ee} that not having come to any resolution, desired him to move for leave to sit again.²

Resolved, That this Congress will, to Morrow, resolve itself into a committee of the whole, to take into their further consideration the state of the trade.

The other matters referred to this day, are further postponed till to Morrow.

Adjourned to 9 o'Clock to Morrow.

FRIDAY, OCTOBER 13, 1775

Agreeable to the order of the day, the Congress resolved itself into a committee of the whole to take into their farther consideration the state of the trade of the united Colonies, and after some time spent thereon, the presi-

¹ These resolutions were printed in the *Pennsylvania Packet*, 30 October, 1775.

² See John Adams's Notes of Debates in this volume.

dent resumed the chair, and M^r [Samuel] Ward reported, from the committee, that they had taken the matter referred to them into consideration, but not having come to a conclusion, desired him to move for leave to sit again.¹

||Whereupon the order was renewed.||

In the Committee of the Whole.²

~~That whatever resolutions the Congress come into relative to the non-importation and non-exportation agreement should be conclusive during this session of Congress.~~

Oct. 13.³ That it is the opinion of this committee that New York, the lower counties on Delaware, N^c Carolina and Georgia ought not to avail themselves of the benefit allowed to them by the last restraining Act and therefore that no persons should apply at the Custom houses in those colonies for clearances or other documents, which other colonies are deprived of by said restraining act for securing the navigation of vessels with cargoes from their ports.⁴

~~26⁵ That it be recommended the several provincial Assemblies, Conventions or councils of safety of the united colonies to export to the foreign West Indies on account and risque of their respective Colony as much provision or any other produce except horned cattle, sheep, hogs and poultry, as they may deem necessary for the importation of arms, ammunition, sulphur and salt petre.⁶~~

31⁸ That no Rice be exported under the exception contained in the 4th Article of the Association from any of the United Colonies to Great Britain Ireland or the Islands of Jersey, Guernsey Sark Alderney or Man or any other European Island or Settlement within the British Dominions.⁶

¹See John Adams's Notes of Debates in this volume.

²This is a manuscript in the writing of Charles Thomson, found in *Papers of the Continental Congress*, No. 24, folio 3. I place it under the first date on the paper, although the Journals do not show that any resolutions were reported from the committee on that day. On the reverse are two sets of lines, one headed by *n* and the other by *a*, six noes and three ayes, but to which paragraph the vote applied cannot be determined.

³These figures are in the margin.

⁴This paragraph is printed in the Journals, 1 November, 1775, *post*.

⁵On the margin is the word "Reported." The paragraph is printed in the Journals, 28 October, 1775, *post*.

⁶These paragraphs are printed in the Journals, 1 November, 1775.

That no live stock (necessary sea stores at the discretion of the Committees, and horses excepted) be exported from these colonies, or water borne except in rivers, bays or sounds.¹

That as the Manufactory of Woolens in these Colonies tho' rapidly advancing may not furnish an immediate supply of clothing, it would be for the interest of the Inhabitants to go into the practice of wearing leathern waistcoats and breeches as far as may be consistent with the convenience and necessities of Individuals and that the Members of this Congress should set the example. And that it be earnestly recommended to all dealers in skins to sell them at the usual price and not take advantage of any additional demand for that article which may happen.¹

A letter from Gen^l Washington, dated 5th of Oct^r, with sundry enclosed papers being rec^d was read.²

The Congress, taking into consideration the report of the Committee appointed to prepare a plan, for intercepting vessels coming out with stores and ammunition, and after some debate,

Resolved, That a swift sailing vessel, to carry ten carriage guns, and a proportionable number of swivels, with eighty men, be fitted, with all possible despatch, for a cruize of three months, and that the commander be instructed to cruize eastward, for intercepting such transports as may be laden with warlike stores and other supplies for our enemies, and for such other purposes as the Congress shall direct.

That a Committee of three be appointed ~~to superintend the fitting the said vessel~~ to prepare an estimate of the expence, and lay the same before the Congress, and to contract with proper persons to fit out the vessel.

¹ See page 269 *ante*.

² This letter is in *Papers of the Continental Congress*, No. 152, I, 181, and is printed in *Writings of George Washington* (Ford), III, 162. The original bears an endorsement in Thomson's writing: "That part of this letter wh^{ch} relates to the capture of a vessel in N. Hampshire referred to the committee appointed to bring in regulations for navy."

Resolved, That another vessel be fitted out for the same purposes, and that the said committee report their opinion of a proper vessel, and also an estimate of the expence.

The ballots being taken and examined the following members were chosen, viz: M^r [Silas] Deane, M^r [John] Langdon, and M^r [Christopher] Gadsden.

Resolved, That the remainder of the report be referred for farther consideration to Monday next.

On motion made, the Congress, taking into consideration the memorials from sundry merchants of New York and Philad^a, respecting a quantity of tea imported before the first of March last and

Resolved, That a Committee of five be appointed to take the above Memorials into consideration, enquire into a state of the facts, and report to the Congress.

The ballots being taken and examined the following members were chosen, viz. M^r J[ohn] Rutledge, M^r S[amuel] Adams, M^r J[ohn] Adams, M^r [Samuel] Ward, and M^r [Richard Henry] Lee.

The several matters referred to this day, were postponed till to Morrow.

Adjourned to 9 o'Clock to Morrow.

SATURDAY, OCTOBER 14, 1775

The Congress resumed the consideration of the letter from the Gen^l [Washington,] and the papers enclosed.

On motion made,

Resolved, That a director general and chief physician of the Hospital in Massachusetts bay, be appointed in the room of Doct^r [Benjamin] Church, who is taken into custody for holding a correspondence with the enemy.

Resolved, That the Congress will, on Monday next, pro-

ceed to the election of a director general and chief physician of the Hospital, in the room of Doct^r Church.

Resolved, That the farther consideration of the general's letter be postponed to Monday next.

The Delegates for Connecticut informed the Congress that they had met some of the delegates for Pennsylvania, in order to take into consideration the matters referred to them, but not being able to come to any agreement with them, and as the disputes between the people of the two colonies on the waters of the Susquehannah, had proceeded to bloodshed, and, as they apprehended, may be attended with very dangerous consequences, unless speedily prevented, they moved that a Committee be appointed out of the other colonies, to take this matter into consideration, and report thereon to the Congress.

Resolved, That this be referred to Monday next.

Adjourned to 9 o'Clock on Monday.¹

MONDAY, OCTOBER 16, 1775

Two letters from the Convention of New Jersey, dated 13th and 14th Inst^t, being read,²

Resolved, That a Committee of three be appointed to take the same into consideration, and report an answer.

The members chosen, M^r J[ohn] Rutledge, M^r [John] Dickinson, and M^r W[illiam] Livingston.

A letter from Gen^l Schuyler, with sundry papers enclosed, dated 5 Oct^r, 1775, was read and the same being taken into Consideration,³

¹ A letter from the Committee for Cumberland County, New Jersey, dated September 30, was read on this day. It is in *Papers of the Continental Congress*, No. 68, folio 11.

² These letters are in *Papers of the Continental Congress*, No. 68, folios 15 and 19.

³ This letter is in *Papers of the Continental Congress*, No. 153, I, folio 190.

Resolved, That the sum of 200,000 dollars be sent to the deputy pay master general for the northern army.

That the delegates of Pennsylvania do immediately count and send forward the above sum under a guard.

On motion made, *Resolved*, That the ton of powder forwarded last week to New York, be immediately sent forward to Gen^l Schuyler.

On motion made, *Resolved*, That a Committee of five members be appointed to consider farther ways and means of promoting the manufacture of saltpetre.

The following members chosen, M^r [Peyton] Randolph, M^r [Henry] Wisner, M^r [Samuel] Chase, M^r John Rutledge, and M^r [John] Morton.

On motion made,

Resolved, That it be earnestly recommended to all persons, who are possessed of salt petre lately removed from Turtle bay, on the Island of New York, forthwith to send the same to the president of the convention of New York, to be manufactured into Gun powder, for the use of the continental army.

On motion, *Resolved*, that M^r [Peyton] Randolph and M^r [Stephen] Hopkins be appointed to join Mr. J[ohn] Rutledge in order to wait on Mr. [John] McPherson and confer with him on the subject contained in his letter.

Ordered, That M^r [John] Langdon, M^r [Eliphalet] Dyer, and M^r J[ohn] Adams, enquire what quantity of powder has been sent to the northern army, and report by whom sent.

The order of the day renewed, and the several matters referred to this day postponed till to Morrow.

Adjourned to 9 o'Clock to Morrow.

TUESDAY, OCTOBER 17, 1775

Agreeable to the order of the day the Congress took under consideration the motion made on Saturday last by the delegates of Connecticut,

Resolved, That a Committee of five ||members|| be appointed to take into consideration the disputes between the people of Connecticut and Pensylvania, and report what in their opinion is proper to be done by Congress.

The members chosen for the above Com^{ee} are, M^r J[ohn] Rutledge, M^r [Samuel] Chase, Mr^r [Thomas] Jefferson, M^r [James] Kinsey, and M^r [Stephen] Hopkins.

The Committee appointed to prepare an Estimate, &c. brought in their report, which, being read was after some debate, re-committed.

The Com^{ee} of Claims reported,

That two accounts exhibited by Ephraim Martin, for provisions furnished to several rifle companies, on their march to Cambridge by himself and Joseph Wallins, amounting to 59 3/10, are reasonable and ought to be paid.

Ordered, That the above be paid.

A letter from Gov^r Cooke, 9 Oct^r, was read.

The Congress proceeded to the election of director general and chief physician of the Hospital, in the room of Doct^r [Benjamin] Church, and the ballots being taken and exam'd,

Doct^r [John] Morgan, [of Philadelphia,] was elected.

On motion made, *Ordered*, That the president write to the Convention of New York, and inform them, that it is the desire of the Congress, that the sulphur in the city be removed to a place of safety.

The order of the day being renewed and the several matters referred to this day being put off,
Adjourned to 9 o'Clock to Morrow.

WEDNESDAY, OCTOBER 18, 1775

The Committee on the memorials from sundry Merchants in New York and Philad^a, brought in their report, which was read, and taken into consideration, and after debate,

Resolved, That it be postponed.

The delegates from New Hampshire laid before the Congress, a part of the instructions delivered to them by their Colony, in the following words:

We would have you immediately use your utmost endeavours to obtain the advice and direction of the Congress, with respect to a method for our administring Justice, and regulating our civil police. We press you not to delay this matter, as, its being done speedily, (y^r own knowledge of our circumstances must inform you) will probably prevent the greatest confusion among us.

On this the delegates apply for advice.

Resolved, That the consideration of this be referred to Monday next.

On motion made, *Resolved*, That a just and well authenticated account of the hostilities committed by the ministerial troops and navy in America since last March, be collected, with proper evidence of the truth of the facts related, the number and value of the buildings destroyed by them, also the number and value of the vessels inward and outward bound, which have been seized by them since that period, as near as the number and value can be ascertained; also the stock taken by them from different parts of the Continent.

That a Committee of three be appointed for this purpose.
The members chosen, M^r [Silas] Deane, M^r John Adams, and M^r [George] Wythe.¹
The order of the day being renewed,
Adjourned to 9 o'Clock.

THURSDAY, OCTOBER 19, 1775

The Com^{ee} of Claims reported, their opinion that the following acco^t ought to be paid:

The acco^t of the Committee of Lancaster, for sundries furnished the rifle companies, amounting to 2,213 6/10 dollars.

The acco^t of Rich^d Bache, Stephen Paschal, and Michael Hillegas, for superintending the printing of the bills of credit, ordered to be struck by the Congress, amounting to 272 dollars.

Ordered, That the above be paid.

The Com^{ee} appointed to take under consideration the method proposed by the commissary general for supplying the army with provisions, brought in their Report, which was read.

It being represented to Congress, that Captⁿ Isaac Sears, of New York, has, at the request of M^r [Joseph] Trumbull, the Commissary gen^l, forwarded to the Camp at Cambridge, seven thousand barrels of flour, for which M^r Trumbull has not been able to pay him, for want of money in the military chest,

¹ The task of ascertaining the damage experienced in New York was entrusted to John Broome. The following notice appeared in the *Pennsylvania Packet*, 6 November, 1775, with the above resolution:

"The above committee request the Printers of the several public papers in the United Colonies to insert the above for three or four weeks successively, and all persons possessed of any facts relative to, or that may throw light on the above subject, to transmit the same to them as early as possible."

On motion made, *Resolved*, That the sum of 30,000 dollars be paid to Captⁿ Isaac Sears, on account of the above flour, he giving bond to account for the same with M^r Trumbull, and that the same be charged to the acco^t of M^r Trumbull, the commissary gen^l.

A petition for M^r Sears, and M^r Randal, was laid before the Congress, and read.

After some debate, *Resolved*, That the consideration of the subject thereof be deferred to this day fortnight, then to be taken up.

The committee appointed to wait upon Captⁿ [John] Macpherson reported that they have executed that service and upon conversing with him do apprehend, that the scheme he mentions is in their opinion feasible and that he ought to repair to the camp.

On motion made, *Resolved*, That he be requested immediately to repair to the camp at Cambridge, and confer with General Washington, and that the Com^{ee} who waited on Captⁿ McPherson do prepare a letter to the general on this subject and report the same.

On motion made, *Resolved*, That the provincial convention of New York be requested to send to this Congress, a copy of any order or proceeding of theirs, or of the Mayor and corporation in consequence of Gov^r Tryon's letter to the Mayor, published in New York paper, under the 16th Instⁱ, also an attested copy of s^d letter.

The order of the day renewed, and the several matters referred to this day postponed.

Adjourned to 9 o'Clock to Morrow.

FRIDAY, OCTOBER 20, 1775

The Comm^{ee} appointed to prepare a letter to the Gen^l, to be sent by Captⁿ McPherson reported the same, which was read and agreed to.

PHILAD^a, 20 Oct^r, 1775

SIR: Captⁿ John Macpherson having informed the Congress, that he had invented a method, by which with their leave, he would take or destroy every ministerial armed vessel in North America, they appointed Gov^r Hopkins, M^r Randolph and M^r J Rutledge to confer with him on the subject, for he would not consent to communicate the secret to any but a committee and you. These Gentlemen reported, that the scheme in theory appeared practicable, and that though its success could not be relied on without experiment, they thought it well worth attempting on the fleet in and about Boston harbour, their destruction being an object of the utmost consequence. The Congress have therefore directed Capt Macpherson to repair immediately to Cambridge. They recommend this Matter to your particular attention and request, that if you view it in the light, which the Committee did you will give him all the support and assistance in your power and furnish him with every thing which he may require for this service.

I am Sir, Your most Obed^t Serv^t¹

On motion made, *Resolved*, that an order be drawn on the treasurers in favour of Captⁿ J. Macpherson for the sum of three hundred dollars.

||*Resolved*, That three hundred dollars be paid to Captain John Macpherson, to defray the expences of his journey to the camp, he to be accountable.||

Agreeable to the order of the day the congress resolved itself into a committee of the whole to take into consideration the state of the trade of the confederated colonies, and after some time spent therein the president resumed the chair and M^r [Samuel] Ward reported that the comm^{ee}

¹ From the *Washington Papers*, vol. 89, folio 72.

had taken into consideration the matter referred to them, but not having come to conclusion desired him to move for leave to sit again.¹

Resolved, That this Congress will to Morrow again resolve itself into a committee of the whole to take into their farther consideration the state of the trade of the confederated Colonies.

Adjourned to 10 o'Clock to Morrow.

SATURDAY, OCTOBER 21, 1775

Agreeable to the order of the day the Congress resolved itself into a com^{ee} of the whole to take into consideration the state of the trade of the Colonies, and after some time spent therein the pres^t resumed the Chair and M^r [Samuel] Ward reported from the Comm^{ee} that they had taken into Consideration the matter referred to them but not having yet come to a conclusion, desired to move for leave to sit again.¹

The order for resolving into a com^{ee} of the whole on Monday next renewed.

A letter from Gen^l Washington dated 12 Oct^r with sundry enclose. was laid before the Congress and read.²

Adjourned to 10 o'Clock on Monday.

MONDAY, OCTOBER 23, 1775

Information being given to Congress that yesterday the hon^{ble} Peyton Randolph suddenly departed this life,

Resolved, That this Congress will attend his funeral as

¹ See John Adams's Notes of Debates, in this volume.

² This letter is in *Papers of the Continental Congress*, No. 152, I, folio 217, and is printed in *Writings of George Washington* (Ford), III, 172.

mourners, with a crape round their left arm, ||according to the association.||

That the Congress continue in Mourning for the space of one month.

That a Comm^{ee} of three be appointed to superintend the funeral.

The members chosen, M^r [Henry] Middleton, M^r [Stephen] Hopkins, and M^r [Samuel] Chase.

That the Committee wait on the rev^d M^r [Jacob] Duché, and request him to prepare a proper discourse to be delivered at the funeral.¹

¹And on Tuesday afternoon his remains were removed from Mr. Benjamin Randolph's, to Christ Church, where an excellent sermon on the mournful occasion was preached by the Rev. Mr. Duché, after which, the corpse was carried to the burial ground and deposited in a vault till it can be conveyed to Virginia.

The Funeral was conducted in the following order:

The three BATTALLIONS, ARTILLERY
COMPANIES and RIFLE-MEN of this CITY.

The CLERGY.

The BODY

with

PALL supported by
SIX MAGISTRATES.

HON. JOHN HANCOCK, Esq;
The MEMBERS of CONGRESS.

PHYSICIANS.

The MEMBERS of ASSEMBLY.

COMMITTEE of SAFETY.

MAYOR and CORPORATION.

COMMITTEE of CITY and LIBERTIES.

VESTRY of CHRIST and St. PETER's CHURCHES.

CITIZENS.

From the *Pennsylvania Packet*, Oct. 30, 1775.

"On the day his Remains were interred there was a greater collection of People than I had ever seen. The three Battalions were under Arms. Their Standards and Colours were furled with black Gauze: their Drums muffled, and covered with Gauze. The Bells at Christ Church were muffled. There, Mr. Duché preached a most excellent Sermon:—thence the Corpse was carried to the Burying-yard, the way being lined on each side by the Battalions, leaning on their arms reversed." *Solomon Drowne to Miss Sally Drowne, 12 November, 1775.*

The delegates for Delaware Government having been re-appointed by their Assembly, on the 21st Ins^t produced the credentials of their re-appointment, which were read and approved.¹

Adjourned to ten o'clock to Morrow.²

TUESDAY, OCTOBER 24, 1775

The Congress met and adjourned to two o'Clock P. M.

Eodem die P. M.

Met and adjourned to 9 o'clock to Morrow.

WEDNESDAY, OCTOBER 25, 1775

A Letter from Gen^l Washington, dated 30th Sept^r³ and two from Gov^r Trumbull, dated 9 and 17 Oct. and one from the Convention of New York, 20th Oct^r, were read.

The Com^{ee} appointed to prepare an answer to the let-

¹These credentials, in the *Papers of the Continental Congress, Delaware, Credentials of Delegates*, are as follows:—

“In the House of Representatives for the Counties of New Castle, Kent and Sussex, upon Delaware, at New Castle

“SATURDAY, October 21st, 1775, P. M.

“On Motion, *Resolved*, Nemine Contradicente,

“That the Honorable Cæsar Rodney Speaker, Thomas McKean and George Read Esquires, be, and they are hereby appointed and authorized, to represent this Government in the American Congress, now sitting at the City of Philadelphia, with full Power to them, or any two, or one of them, together with the Delegates from the other American Colonies, to concert and agree upon, such further Measures, as shall appear to them, best calculated for the Accommodation of the unhappy differences between Great-Britain and the Colonies, on a Constitutional Foundation, which the House most ardently wish for; and that they report their Proceedings to the next Sessions, of General Assembly.

“A true Copy from the Journal of the House,

“JA^s BOOTH *Ck*”

²A letter from the Provincial Congress of New Jersey was read on this day. It is in *Papers of the Continental Congress*, No. 68, folio 21.

³This letter is in *Papers of the Continental Congress*, No. 152, I, folio 175, and is printed in *Writings of George Washington*, (Ford) III, 153.

ters from the Convention of New Jersey, of the 13 and 14 Ins^t, brought in a draught, which was read and the same being debated,

Resolved, the following to be inserted as part of the answer:—

The Congress are of opinion the public service makes it necessary that the Jersey battalions be levied with all possible expedition, but as the Congress are waiting the return of this Committee from Camp in order to establish permanent regulations for all continental forces, they for the present incline to suspend a determination on the question about the appointment of regimental field officers.

The letter being agreed [to],

Ordered, That the president forward it.

The Com^{ee} of Claims reported

That there is due,

To John Biddle, Jun^r, Commissary of the rifle Battalion, the sum of £1,552.8.2 pensylv^a curr^v=4,139 7/10 dollars.

That there is due to James Stewart the sum of 15 7/10 dollars, for provisions furnished to the several companies of rifle men.

That there is also due to Jacob Hoyler the sum of 18 3/10 dollars for provisions to Capⁿ Ross' Compy.

Ordered, That the above be paid.

The Comm^{ee} of Safety of Pennsylvania laid before the Congress sundry papers, being enclosed, instructions given by G[eneral] Gage to one Duncan Campbell of Dutchess County N York, an examination of sundry persons who came from Boston in the Transport *Rebecca and Frances*, Hastings, master, and who upon the vessels being cast away on Brigantine Beach, were seized by order of s^d Com^{ee} of Safety and are now in safe custody in this city.

The Instructions to Cap^t Duncan Campbell from Gen^l Gage which were found on s^d Campbell were read and ordered to be published.

Also the examination of s^d Campbell and others was read.

Ordered, That a copy of them be forwarded to the Convention of N. York with a recommendation to them to seize a M^r Grant, who, it is said, is employed in raising recruits in that Colony.

Resolved, That Mr. [Joseph] Hewes be added to the Com^{ee} of Claims.

The order of the day is renewed,

The other matters referred to this day postponed.

Ordered, that the Messenger go round to the Members and desire them to be punctual in their attendance at 10 o'Clock to go into the order of the day.

Adjourned to 10 o'Clock to Morrow.

THURSDAY, OCTOBER 26, 1775

On motion made, *Resolved*, That the resolution of Congress July 15 ||for encouraging the importation of arms and ammunition, and the resolution of the 18th inst. for collecting an account of the hostilities committed by the ministerial troops and navy,|| be ||immediately|| published, with this amendment, to expunge the word "provisions" and instead therefor to insert "the produce of these colonies," and dispersed through the different nations of Europe and through W. I. Islands.

It being represented to the Congress that a large quantity of blankets and shirts remains in the King's Stores in New York,

Resolved, That it be recommended to the Convention of New York immediately to take possession of the said blankets and shirts, and forward so many of them as may

be necessary to Gen'l Schuyler for the use of the army under his command.

On motion made, *Resolved*, That a Com^{ee} of three be appointed to take into consideration the letter from the Convention of New York, dated 20th Oct^r, and report an answer.

The Comm^{ee} chosen, M^r [Silas] Deane, M^r S[amuel] Adams, and M^r [James] Duane.

Information being given to Congress, that there has been lately discovered, in the Colony of Virginia, a mineral containing a large quantity of Salt petre,

Ordered, That the delegates of Virginia send an Express to enquire into the truth of the fact, and to bring a sample of the mineral.

On motion made, *Resolved*, That a Com^{ee} of 5 members be appointed to take into consideration the instruction given to the delegates of the Colony of New Hampshire, and report their opinion thereon.

The members chosen, M^r J[ohn] Rutledge, M^r J[ohn] Adams, M^r [Samuel] Ward, M^r [Richard Henry] Lee, and M^r [Roger] Sherman.

Ordered, That the resolution of 18 Inst^t respecting the obtaining a well authenticated account of the Hostilities committed by the ministerial troops and navy, be published in the news papers.

Agreeable to the order of the Day, the Congress resolved itself into a Com^{ee} of the whole, to take into their farther consideration the state of the trade of the confederated Colonies, and after some [time] spent thereon, the president resumed the chair, and M^r [Samuel] Ward reported, from the committee that they had taken into consideration the matter referred to them, and have come to a resolution which they desired him to report, and farther to move for leave to sit again.

The resolution of the committee being read, was agreed to as follows:

Resolved, That it be recommended to the several provincial Assemblies, conventions, or councils of safety, of the United Colonies, to export to the foreign West Indies, on acco^t and risque of their respective colonies, as much provision or any other produce, except horned cattle, sheep, hogs, and poultry, as they may deem necessary for the importation of arms, ammunition, sulphur, and salt petre.¹

Ordered, That a copy of the above be transmitted by the delegates to their respective Assemblies, conventions, or Committees of Safety.

The order of the day renewed and the other matters referred to this day postponed.

Adjourned to 10 o'Clock to Morrow.

FRIDAY, OCTOBER 27, 1775

The Com^{ee} appointed to take into consideration the letter from the Convention of New York, brought in their report, which was read.

Agreeable to the order of the day the Congress resolved itself into a Com^{ee} of the whole to take into their farther consideration the state of the trade of the United Colonies, and after some time spent therein, the president resumed the chair and M^r [Samuel] Ward reported that they had taken into consideration the matter referred to them, but not having come to a conclusion, desired him to move for leave to sit again.²

The order of the day renewed.

Adjourned to 10 o'Clock to Morrow.

¹See Report of the Committee of the Whole, in Journals, 13 October, 1775, *ante*.

²See John Adams's Notes of Debates, in this volume.

SATURDAY, OCTOBER 28, 1775

The Com^{ee} of Safety of Philad^a laid before the Congress the examination of sundry of those who came in the transport *Rebecca and Frances*, and desired the advice of Congress, what ought to be done with the men taken.

The Congress taking this under consideration,

Resolved, That Captⁿ Campbell and lieut. Symes, and the men who came with them in the transport *Rebecca and Frances*, be confined in such gaols in this Colony, as the Com^{ee} of Safety of s^d Colony think proper, and that said Captⁿ Campbell and lieutenant Symes be allowed for their subsistence 1 1/3 dollar each p^r week, and the men one dollar p^r week each, to be paid out of the continental treasury.

The Congress resumed the consideration of the report of the Com^{ee} on the N York letters,

Resolved, That a company of Matrosses, to consist of one Captⁿ, one captⁿ-lieutenant, a first and second lieutenant, a lieutenant fire worker, four serjeants, four corporals, eight bombardiers, sixty eight matrosses, one drummer, and one fifer, be immediately raised in New York, for the defence of Hudson's river, and to occupy the fortifications now erecting in the high lands, and that the president write to the convention of that province recommending it to them immediately to raise the said Company, and to appoint the proper officers.

The Committee of Claims reported, that there is due on acco^t of necessaries furnished to the Hussar Company, and for services therein, the following sums, viz.

To James & Drinker, the sum of £72. 6. 6 3/4 = 192 8/10 dollars

Thomas Clifford and Sons, £24. 3. 0 = 64 4/10

Usher & Henry, £10. 19. 4 1/2 = 29 2/10

To George Fromberger, £47. 15. 0 = 127 3/10

William Ogden, £27. 10. 0 = 73 3/10

William Kerlin, £24. 0. 0. = 64

Sam^l Garrigues, £4. 2. 9 = 11

Andrew Fegener, £100. 0. 0 = 266 6/10

Lewis Kughn, £159. 10. 1. = 425 3/10

Lewis Prahl, to be paid by his order to Andrew Bonner, £85. 0. 0 = 226 6/10 dollars.

To sundries for smaller sums to be paid to T. Matlack, and by him paid, £206. 9. 9 = 550 6/10 dollars.

That there is due to Rachel Stille, for expences of a guard at Trenton over the powder, £4. 6. 8 = 10 1/2 dollars.

To William Holmes, for goods furnished the Rifle company raised in Cumberland County, £32. 1. 11 = 85 6/10.

To Timothy Matlack, to pay for wood ||for the use of the Congress,|| 22 dollars.

Ordered, That the above acco^{ts} be paid.

On motion made,

Resolved, That five of the Committee of Claims be empowered to act, of which the chairman is to be one.

Resolved, That the inspectors of the press deliver the proof sheets and checks of the continental bills, to the continental treas^{rs}, and that they deliver one of each to the delegates of every colony, to remain with the provincial treas^r to be appointed in such colony, and retain the rest in their hands.

Mr. [Peyton] Randolph, being dead, who was one of the salt petre committee, and M^r. [John] Morton, another, not being able to attend, on account of his attendance in the house of Assembly,

Resolved, That three new members be chosen for that Com^{tee}

The members chosen, M^r [Robert Treat] Paine, M^r [Charles] Humphreys, and M^r [George] Wythe.

Resolved, that this Congress will on Monday next resolve itself into a Com^{ee} of the whole to take into consideration the trade of the United Colonies.

Adjourned to Monday, 10 o'Clock.

MONDAY, OCTOBER 30, 1775

The Committee appointed to prepare an estimate, &c ||and to fit out the vessels,|| brought in their report, which being taken into consideration,

Resolved, That the second vessel ordered to be fitted out on the 13th Ins^t, do carry 14 guns, with a proportionate number of swivels and men.

Resolved, That a Committee be appointed to carry into execution with all possible expedition the resolution of Congress of the 13th Inst, the one of ten and the other of 14 guns, and,

Resolved, That two other armed vessels be fitted out with all expedition; the one to carry not exceeding 20 Guns, and the other not exceeding 36 Guns, with a proportionate number of swivels and men, to be employed in such manner, for the protection and defence of the united Colonies, as the Congress shall hereafter direct.

That the Com^{ee} consist of seven and therefore that four new members be now elected to be added to the former Com^{ee}—4 a quorum.¹

¹The printed Journals has the following, which combines more than one of the above resolutions:

Resolved, That four members be chosen and added to the former committee of three, and that these seven be a committee to carry into execution with all possible expedition, as well the resolutions of Congress passed the 13th instant, as those passed this day, for fitting out armed vessels.

The members chosen, M^r [Stephen] Hopkins, M^r [Joseph] Hewes, M^r [Richard Henry] Lee, and M^r J[ohn] Adams.

The Convention of New Jersey, having recommended to Congress sundry Gentlemen in their opinion proper for field officers to command the two battalions raising in that Colony,

Resolved, That the same be taken into consideration to Morrow.

A letter from M^r W[alter] Livingston, Dated 18 Oct^r, was read,¹

Ordered to lie on the table to be considered to Morrow.

The order of the day renewed,

Adjourned to 10 o'Clock to morrow.

TUESDAY, OCTOBER 31, 1775

Sundry letters from Gen^l Schuyler 6, 13 [18], 14, and 19 [20] Ins^t, with sundry papers enclosed, were read.²

The Congress resolved itself into a committee of the whole, to take into consideration the trade of these colonies, and after some time spent therein, the president resumed the chair, and M^r [Samuel] Ward reported, that they had come to certain resolutions which he was desired to report, but not having come to a conclusion, desired him to move for leave to sit again.

The report of the committee being read,

Resolved, That the consideration of the report of the Com^{ee} be referred till to Morrow and that this matter be the first thing taken up, and that it be not interrupted by any new motion.

¹ This letter is in *Papers of the Continental Congress*, No. 78, XIV, folio 15.

² Letters dated October 14, 18 and 20, read on this day, are in *Papers of the Continental Congress*, No. 153, I, folios 210, 218 and 222. The letter of October 6 is not found.

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Resolved, That the consideration of the appointm^t of field officers for the Jersey battalions be postponed to Friday next.

A Member from Pennsylvania laid before the Congress a resolve of their Assembly, in the following words:

IN ASSEMBLY, *October 28, 1775.*

The House taking into their further consideration the resolve of Congress, for raising a battalion in this province, for general service, find it necessary that moneys should be advanced by the several captains for that purpose.

Resolved, Therefore, that the Congress be requested to order a sufficient sum of money to be put into the hands of the Committee of safety of this province, to be immediately applied in raising said battallion.

Extracts from the minutes,

CHARLES MOORE, *Clerk of Assembly.*

Resolved, That the consideration thereof be referred to Friday next.

||The order of the day being renewed,
Adjourned to ten o'clock to Morrow.||

WEDNESDAY, NOVEMBER 1, 1775

A letter from the Gen^l rec^d by express, was read, containing an acco^t of the burning of Falmouth.¹

Ordered, That a copy be forwarded by the delegates to their respective assemblies, conventions, or councils of safety.

A letter from the Com^{ee} of conference, together with the minutes of their conference, were read.²

¹ This letter is in the *Papers of the Continental Congress*, No. 152, I, folio 241, and is printed in *Writings of George Washington*, (Ford) III, 181.

² This letter and the reports are in *Papers of the Continental Congress*, No. 33 folio 1. It was printed, together with the articles of capitulation at Chambly, in the *Pennsylvania Packet*, 6 November, 1775.

Ordered, To lie on the table for the perusal of the members.

The Congress, then taking into consideration the report from the Com^{ee} of the whole,

Resolved, That no produce of the United Colonies be exported, (except from colony to colony, under the direction of the committees of Inspection and observation, and except from one part to another of the same colony) before the first day of March next, without the permission or order of this Congress:¹ provided, that nothing herein contained shall be construed to vacate the resolutions of Congress for the importation of arms, ammunition, &c.

Resolved, That New York, the lower Counties on Delaware, North Carolina, and Georgia, ought not to avail themselves of the benefit allowed to them by the late restraining act, and therefore, that no persons should apply at the custom houses in those colonies for clearances or other documents, which other colonies are deprived of by said restraining act, for securing the navigation of vessels with cargoes from their ports: ~~provided that nothing herein contained shall be construed to vacate the resolutions of 15 July and 26th. of this Ins^t for the importation of ammunition, &c.~~

And that the president transmit to the Assemblies or Conventions of those colonies, copies of this resolution, with the thanks of this Congress, to those colonies respectively, for not having hitherto taken any advantage of the exemptions in the said act of Parliament.²

Resolved, That no Rice be exported under the exception contained in the 4th article of the Association, from any of the United Colonies to Great Britain, Ireland, or

¹ This part of the resolution was printed in the *Pennsylvania Packet*, 6 November, 1775.

² See the report of the Committee of the Whole in Journals, 13 October, 1775, *ante*.

the islands of Jersey, Guernsey, Sark, Aldernay, or Man, or any other European Island, or settlement within the British Dominions.

That no live stock, (necessary sea stores, at the discretion of the committees, and horses excepted) be exported from these colonies, or water borne, except in rivers, bays, and sounds.

On motion made, *Ordered*, that the Delegates for S[outh] Carolina and Georgia have a copy of the above resolutions to forward to their conventions.

The further consideration of the report postponed, and also the other matters referred to this day, and the order of the day renewed,

Adjourned to ten o'Clock to Morrow.

THURSDAY, NOVEMBER 2, 1775

The Com[mitt]ee of claims reported that there is due, and ought to be paid, to Dan[ie]l Smith, for expences for guards attending Gov[erno]r Skene, Major French and others, and the expences of Major French, and Mr. Lundy, 133 3/10 dollars.

To John Davies, for provisions and carriage furnished to three rifle companies, amounting to 1,320 9/10 Dollars.

To Simons and Henry, 2,313 6/10 Dollars, of which £10.0.6 is a continental expence and the remainder to be charged to several rifle companies, which by order of s^d Simons and Henry to be paid to Hugh and George Roberts.

To John Montgomery the sum of 56 dollars, of which sum 18/1 [2.4] is only a continental expence.

To John Brewster, Zachariah Dubois, and Jonathan Brooks, 61 1/10 dollars, to be paid by order to Henry Wisner.

To William Sickle, according to the prayer of his petition, 40 dollars.

To Captⁿ Dowdle, for Monies paid by him for enlisting his Company and for drums, &c. for his company, £22.18.8=61.1 Dollars.

Ordered that the above be paid.

On Motion made resolved, That the Com[mitt]ee appointed to carry into execution the resolves of Congress, for fitting out four armed vessels, be authorised to call on the continental treasurers, from time to time, for as much cash as shall be necessary for the above purpose, not exceeding the sum of one hundred thousand dollars. And that the s^d com[mitt]ee have power to agree with such officers and seamen, as are proper to man and command said vessels, and that the encouragement to such officers and seamen be one half of all ships of war made prize of by them, and one-third of all transport vessels, exclusive of wages.

The Inhabitants of Passamaquaddy in Nova Scotia, having chosen a com[mitt]ee of Safety, and having, by their petition, applied to the Congress to be admitted into the association of the North Americans, for the preservation of their rights and liberties,

On motion made, *Resolved*, That a com[mitt]ee of 5 be appointed to take this matter into consideration, and report what steps, in their opinion, it will be proper to take, in consequence of this application, for the preservation of the liberties of America.

The members chosen, Mr. [Silas] Deane, Mr. [John] Jay, Mr. [Stephen] Hopkins, Mr. [John] Langdon, and Mr. John Adams.

On motion made, *Resolved*, That the delegates have liberty to transmitt to their respective committees of safety, a copy of the resolutions passed yesterday.

Ordered, That the resolution for shutting the ports to the first of March be published without the proviso.

A Memorial of the committee of Safety, of Pennsylvania, being read ||respecting lieutenant Symes||:

Ordered, To lie on the table for the perusal of the Members.

A letter from Mr. G[unning] Bedford, D[eputy] Muster Master gen[era]l, with the muster rolls of the troops by him mustered, ||being received, were read.||¹

Ordered, to lie on the table.

The Com[mitt]ee appointed to take into consideration the instructions given to the delegates of New Hampshire, brought in their report, which was read,

Ordered, To lie on the table.

A petition from John Rains, of Bermudas, to the Congress was read.

Ordered, To lie on the table.

The Congress, taking into consideration the letters from General Schuyler and Gen[era]l Montgomery, and M^r Walter Livingston,

Resolved, That a Committee of three be appointed to repair to the northward, to confer with Gen[era]l Schuyler, and pursue such instructions as may be given them in charge by the Congress.

The members chosen, Mr. [John] Langdon, Mr. [Robert Treat] Paine, and Mr. [Eliphalet] Dyer.

That a Com[mitt]ee of five be appointed to draw up instructions for the foregoing com[mitt]ee.

||The members chosen|| Mr. [Thomas] Lynch, Mr. [John] Jay, Mr. [Richard Henry] Lee, Mr. [Silas] Deane, and Mr. J[ohn] Adams.

Resolved, That 3,000 felt hats, 3,000 worsted caps, 3,000 pair of buckskin breeches, 3,000 pair of shoes, and 3,000

¹ The letter is in *Papers of the Continental Congress*, No. 78, II, folio 5.

pair of yarn stockings, and 3,000 waistcoats, suitable for the season, be immediately purchased and sent to the Army, under the command of Gen[era]l Schuyler, to be sold to the soldiers at prime cost, including charges of carriage, and 5 ¢ cent. to the quarter Master, by whom the said goods are to be sold out.

Resolved, That those goods be sold to those soldiers only, who will re-inlist in the continental Army, and to the new recruits.

Resolved, That as much duffiels or Kersey, as will make up three hundred watch coats, be purchased and sent to General Schuyler, with neadles and thread, to be made into watch coats, and that these be charged to the Continent, and kept for the use of the outcentries.

Resolved, That a Com[mitt]ee of three be appointed for purchasing the foregoing articles.

The members chosen, Mr. [John] Alsop, Mr. [Francis] Lewis, and Mr. [Roger] Sherman.

Ordered, That the Com[mitt]ee apply to the com-[mitt]ee of inspection of this city ||and liberties of Philadelphia,|| for their Assistance in purchasing the above articles.

On Motion made, *Resolved*, That the Congress will to Morrow take into consideration the state of S[outh] Carolina.

That the state of the Army at Cambridge be referred till to Morrow.

The Com[mitt]ee appointed to repair to the Camp at Cambridge, being returned, made a report of their proceedings:—to be read to Morrow. ||Whereupon,

Resolved, That Saturday next be assigned for taking into consideration the report of the committee, and the state of the army at Cambridge.||

Resolved, That the petition of Mess^{rs} Sears and Randall, be referred to Monday next, then to be taken into consideration.

The other matters referred to this day postponed and the order of the day renewed.

||Adjourned to ten o'clock to Morrow.||

FRIDAY, NOVEMBER 3, 1775

The Congress, taking into consideration the report of the Com[mitt]ee on the New Hampshire Instructions,

Resolved, That it be recommended to the provincial Convention of New Hampshire, to call a full and free representation of the people, and that the representatives, if they think it necessary, establish such a form of government, as, in their judgment, will best produce the happiness of the people, and most effectually secure peace and good order in the province, during the continuance of the present dispute between G[reat] Britain and the colonies.

The Congress then, taking into consideration the state of South Carolina, and sundry papers relative thereto, being read and considered,

Resolved, That a com[mitt]ee of 5 be appointed to take the same into consideration, and report what, in their opinion, is necessary to be done.

The Com[mitt]ee chosen, ~~M^r Lynch~~, Mr. [Benjamin] Harrison, Mr. [Archibald] Bullock, Mr. [William] Hooper, ~~M^r J. Rutledge~~, Mr. [Samuel] Chase, and Mr. Samuel Adams.

The Com[mitt]ee of claims reported, That there is due to William Holliday, the sum of £246. 12. 3 Virginia curr[ency]=822 dollars, for goods and provisions furnished

by several persons to the rifle companies ||of Virginia,|| of which there ought to be charged to Captⁿ Morgan, the sum of £169.1.7½, and to Captain Stephenson, the sum of £13.16.11, and the rem[ainde]r to the Continent.

That there is due to Andrew Bonner, for goods furnished to Capt. Cressap's comp[an]y, by David Mitchell, the sum of £67.4.6, and for provisions furnished to Capt. Stephenson's company, the sum of £3.2.6, the last mentioned sum to be charged to the Continent, ||both amounting to 187 6/10 dollars.||

Ordered, to be paid.

The Congress, taking into consideration the recommendation from the Convention of New Jersey,

Resolved, that the same be referred to Monday next.

Resolved, That the report of the com[mitt]ee returned from the Camp and the state of the army at Cambridge be referred till to Morrow.

The other matters referred to this day postponed and the order of this day renewed.

Adjourned to ten o'Clock to Morrow.

SATURDAY, NOVEMBER 4, 1775

A letter from Gen^l Schuyler, with sundry enclosed papers, containing an acco[un]t of the taking of fort Chamblé, being rec[eive]d and read,¹

Resolved, That the same be referred to the Com[mitt]ee appointed to draught instructions to the Com[mitt]ee appointed to repair to the northward.

Ordered, That Gen^l Montgomery's letter, and the articles of capitulation, be published ||by the secretary.||

¹ This letter, dated October 21, is in *Papers of the Continental Congress*, No. 153, I, folio 242.

The Com[mitt]ee appointed on the differences between the people of Pennsylvania and Connecticut, brought in their report, which was read, and

Ordered, That the same be taken into consideration on Monday next.

On Motion made, the Congress came into the following Resolution :

The Congress, considering that the most perfect Union between all the colonies, is essentially necessary for the preservation of the just rights of North America, and being apprehensive that there is great danger of hostilities being commenced, at or near Wyoming, between the inhabitants of the colony of Pennsylvania, and those of Connecticut,

Resolved, That the Assemblies of the said colonies be requested to take the most speedy and effectual steps to prevent such hostilities.

Ordered, That Mr. Thomas M'Kean and Mr. S[ilas] Deane, be a com[mitt]ee to wait upon the hon[ourable] House of Assembly, of Pennsylvania, now setting, with a copy of the above resolution.¹

Ordered, That a copy of the above [resolution] be transmitted by express to the magistrates, and people of Pennsy[lvani]a and Connecticut, on the waters of Susquehannah.²

The Congress, taking into consideration the report of the Comm[itt]ee from the Camp ||of conference,||

Resolved, That the new army, intended to lie before Boston, consist of 20,372 men, officers included.

¹ This resolution was printed in the *Pennsylvania Packet*, 13 November, 1775.

² These resolutions were printed in the *Pennsylvania Packet*, 8 January, 1776. With them were printed the act of the General Assembly of Connecticut, and the resolutions of the Continental Congress passed December 20 and 23.

Resolved, That the pay of the Officers and privates (except that of the captains, lieutenants, and ensigns in the marching regiments) be the same as in the present army.

Resolved, That the pay of a captain, in the marching regiments, be 26 $\frac{2}{3}$ dollars per calendar month.

That the pay of a lieutenant in ditto, be 18 dollars per ditto.

The pay of an Ensign in ditto, be 13 $\frac{1}{3}$ dollars per ditto.

Resolved, That each regiment consist of 728 men, officers included; that it be divided into eight companies, each company to consist of one capt[ain], two lieutenants, one ensign, 4 serjeants, 4 corporals, two drums or fifes, and 76 privates.

Resolved, That a ration consist of the following kind and quantity of provisions, viz:

1 lb. of beef, or $\frac{3}{4}$ lb. pork, or 1 lb. salt fish, per day.

1 lb. of bread or flour per day.

3 pints of pease, or beans per week, or vegetables equivalent, at one dollar per bushel for pease or beans.

1 pint of milk per man per day, or at the rate of $\frac{1}{72}$ of a dollar.

1 half pint of Rice, or 1 pint of indian meal per man per week.

1 quart of spruce beer or cyder per man per day, or nine gallons of Molasses per company of 100 men per week.

3 lb. candles to 100 Men per week for guards.

24 lb. of soft or 8 lb. of hard soap for 100 men per week.

Resolved, That it be recommended to the several Assemblies or conventions of the colonies respectively, to set and keep their gunsmiths at work, to manufacture good fire locks, with bayonets; each firelock to be made with a good bridle lock, $\frac{3}{4}$ of an inch bore, and of good substance at the breech, the barrel to be 3 feet 8 Inches in

length, the bayonet to be 18 Inches in the blade, with a steel ramrod, the upper loop thereof to be trumpet mouthed: that the price to be given be fixed by the Assembly or convention, or committee of safety of each colony, and that until a sufficient quantity of good arms can be manufactured, they import as many as are wanted, by all the means in their power.

Resolved, That the good arms of such soldiers as leave the service, be retained for the use of the new army, on a valuation made of them.

Resolved, That cloathing be provided for the new army by the Continent, and paid for, by stoppages out of the soldiers wages, at 1 2/3 dollars per month, that as much as possible of the cloth for this purpose be dyed brown, and the distinctions of the Regiments made in the facings.

That a man who brings a good new blanket into the camp, be allowed 2 dollars therefor, and take it away at the end of the campaign.

Resolved, That in order to supply the army with provisions, the Commissary gen[era]l be directed to cause cattle and hogs to be driven at proper seasons to the Camp, there to be ||slaughtered and|| cured; and as to the articles of bread and flour, that he proceed in the way [that] he has done for some time past.

Resolved, That such officers as have served in the present army to approbation, and are willing to stay, be preferred; and if there are more of these than are necessary for the new army, that the General distinguish such as he deems best qualified.

Resolved, That it be recommended to the several legislatures of New England to empower the General to impress carriages, vessels, horses, and other things necessary at a reasonable rate, for the transportation or march of the army, or any part of it, or on any other emergency, and

that this power may be deputed in writing under the hand of the General to the quarter master general, or to any inferior officer, who are to be accountable for any abuse thereof.

Resolved, That the General be directed to propose to the officers now serving in the present army, that they signify in writing, as soon as possible, which of them will continue to serve, and defend their country, and which of them will retire; and that such officers as propose to continue in the service, and are approved by the General, proceed to enlist their men into the continental service, upon the same pay and allowance of provisions as is now given, their service to continue to the last day of December, 1776, subject to be discharged at any time by the Cont[inental] Congress.

Resolved, That if, upon trial, the number of men before resolved on cannot be raised out of the present army, then the officers appointed for the new army recruit their several regiments and companies to their full complement; and in case the necessity of the service require it, that the Gen[eral] be empowered to call forth the minute men or militia of the Massachusetts bay or the neighboring colonies, according to the nature and exigence of the service.

Resolved, that it be recommended to the several legislatures, assemblies, or conventions of the colonies to enact a law or pass an Ordinance, inflicting the following punishments upon such as harbour deserters, knowing them to be such, viz: a fine upon all such offenders, not less than 30, nor more than 50 dollars; and in case of inability to pay the fine, to be punished with whipping, not exceeding thirty-nine lashes for each offence: also, that they empower the Commander in chief, or the officer commanding a detachment or any out-post, to administer an oath,

and swear any person or persons to the truth of any information or intelligence, or any other matter relative to the public service.

Resolved, That any person who shall apprehend a deserter, and bring him to the regiment to which he belongs, upon certificate thereof by the colonel or commanding officer of such regiment, shall be entitled to receive five Dollars and all reasonable expences from the pay master general, or deputy pay master, which is to be deducted from the pay of such soldier.

Resolved, That the further consideration of the report be referred till to Morrow [Monday].

The Com[mitt]ee appointed to take into Consideration the state of S[outh] Carolina, brought in their report, which being read,

Resolved, That for the defence of South Carolina, there be kept up in that colony, at the continental expence, three battalions of foot; each battalion to consist of the same number of men and officers, and be upon the same pay, and under the same regulations, as the continental army.

Resolved, That for the defence of the Colony of Georgia, there be one battalion kept up there at the continental expence, to be composed as the battalions for the defence of South Carolina.

Resolved, That the said troops be enlisted to the 31st day of December, 1776, subject, however, to be discharged sooner if the continental Congress shall think proper.

Resolved, That the president sign blank Commissions, and that the Conventions, or, in their recess, the councils of Safety for South Carolina and Georgia respectively, fill them up with the names of such officers as they may think proper, and return a list thereof to the Congress.

Resolved, That in cases of vacancy occasioned by the

death or removal of a Colonel or inferior officer, the said Conventions or, in their recess, the said councils of safety, appoint another person to fill up such vacancy, until a commission shall issue from this Congress, and that they return to this Congress a list of the names of the person or persons so appointed.

Resolved, That the Officers on the continental establishment shall, when acting in conjunction with officers of equal rank on the provincial establishment, take command of the latter, and also of the Militia; and the Officers of the troops on the provincial establishment shall, when acting in conjunction with officers of the Militia, take command and precedence of the latter of equal rank, notwithstanding prior dates of commissions.

Resolved, That if the Convention, or, in their recess, the council of safety of South Carolina, shall think it expedient for the security of that colony, to seize or destroy, and shall seize or destroy, any ship or vessel of war, this Congress will approve of such proceeding.

Resolved, That the town of Charleston ought to be defended against any attempts that may be made to take possession thereof by the enemies of America, and that the convention or council of safety of the colony of South Carolina, ought to pursue such measures, as to them shall seem most efficacious for that purpose, and that they proceed immediately to erect such fortifications and batteries in or near Charleston, as will best conduce to promote its security, the expence to be paid by the said Colony.

Resolved, That if the Convention of South Carolina shall find it necessary to establish a form of government in that colony, it be recommended to that Convention to call a full and free representation of the people, and that the said representatives, if they think it necessary, shall

establish such a form of Government as in their judgment will best produce the happiness of the people, and most effectually secure peace and good order in the colony, during the continuance of the present dispute between Great Britain and the colonies.

The matters referred to this day postponed, and the order of the day renewed.

Adjourned to 10 o'Clock on Monday next.

MONDAY, NOVEMBER 6, 1775

The assembly of Pennsylvania having appointed new delegates, the said delegates produced their credentials, which were read and approved, and are as follows:

IN ASSEMBLY, *November 3^d, 1775*

Resolved, That the Honorable John Morton, Speaker, John Dickinson, Robert Morris, Benjamin Franklin, Charles Humphreys, Edward Biddle, Thomas Willing, Andrew Allen, and James Wilson, Esquires, be, and they are hereby, appointed to serve as Representatives of this Province in the Continental Congress.

Extract from the Minutes,

CHARLES MOORE, *Clerk of Assembly*.¹

Sundry letters from the convention of New York were—

On motion made, *Resolved*, That a Committee of 5 be appointed to take into consideration the sundry letters lately received from the convention of New York, and the state of that colony, and report what in their opinion is necessary to [be] done.

The members chosen, Mr. R[obert R.] Livingston, Mr. [Thomas] Lynch, Mr. [Benjamin] Harrison, Mr. [Andrew] Allen, and Mr. [Samuel] Ward.

¹The original is in the *Papers of the Continental Congress, Pennsylvania, Credentials of Delegates*.

The Congress, resuming the consideration of the report of the Committee returned from the Camp, and having agreed to sundry Articles therein contained, and come to sundry resolutions,

Ordered, That the secretary digest in order the resolutions of the Congress, as far as they have gone in the report, and lay the same before Congress to Morrow.

Resolved, That the further consideration of the report be referred till to Morrow.

On motion made, *Resolved*, That a Committee be appointed to examine what money remains in the continental treasury unapplied, and to form an estimate of the public debts already incurred, and which will become due on the first day of June next.

That the Committee consist of 3.

The members chosen, Mr. [Thomas] Nelson, Mr. [James] Duane, and Mr. [Thomas] Cushing.

The Committee of Claims reported that there is due,

To John Forbes, the sum of £35.11.10, equal to 94.9 dollars, for goods and necessaries delivered to several rifle companies, and of which sum Capt. Cluggage ought to be charged with £6.2.10, and Captain Chambers the sum of £4.10 = 12 dollars; and that the same ought to be paid to Blair M'Clenachan; the remainder to the Continent.

That there is due to Jane Allen, the sum of £47.0.7, and to Vendal Lands the sum of £2.0.0, both which sums being 130.7 dollars, and ought to be paid to Henry Wisner, and charged to the Continent.

That there is due to Judah Harbow, £7.12.4, and to Capt. Jackson £13.4.6, N. York cur[renc]y for necessaries furnished to several rifle companies, and that the same ought to be paid, to Henry Wisner, and charged to the Continent, being 52.1 dollars.

That there is due to Andrew Graff, for waggonage, the sum of £27.2.6, and to Christopher Crawford, for blankets, the sum of £6.15, both which sums = 90.3 dollars ought to be paid to George Graff, and charged to the Continent.

That there is due to Richard Backhouse, for waggonage, &c. the sum of £51.0, = 136 dollars.

That there is due on several certificates produced by Miles and Wister, the sum of £26.6.4, [equal to 70.1 dollars,] which ought to be paid to them, and £13.10 part thereof be charged to Capt. Rice's company, and 3s. to Capt. Cressap's company; the remainder to the Continent.

That there is due on several certificates produced by Frederick Leinbach, the sum of £58.11.5, = 156 2/10 dollars, and that the same ought to be paid to George Schlosser, who is empowered to receive it, &c. of which sum Capt. Price ought to be charged with the sum of £4.13.6 = [12.4] and Capt. Stevenson, the sum of £3.15.0 = 10 dollars; and also that Commissary Biddle, ought to be charged with £6.15.1 = 18 dollars, until it appears to be otherwise accounted for; the remainder to the Continent.

That there is due to John Murrow, for goods delivered to Capt. Stevenson, £71.18.10, = 119 8/10 dollars and the same ought to be paid to George Davis, and charged to said Stevenson.

That there is due to Robert Erwin, waggon master, the sum of £169.9.3, = 451 9/10 dollars, and that the same ought to be paid to him.

That there is due to Timothy Matlack, money paid by him to Joseph Brown, an Express to Cambridge, the sum of £17.4.1, = 45 9/10 dollars.

That there is due to Jasper Stimes and Abraham Storm,

the sum of £14.9.2, N. York curr[enc]y = 36 1/10 for provisions and carriage furnished by them to the rifle battalion and that the same ought to be paid for them to John Alsop, Esq^r.

Ordered, That the above sums be paid.

Application being made in behalf of the colony of North Carolina, for the sum of 3,750 dollars, in part of the expence incurred for raising a body of forces consisting of one thousand men for the support of the American Association and the safety of North Carolina agreeable to the resolve of the Continental Congress,

Resolved, That the same be paid to William Hooper, Joseph Hewes, and John Penn, Esq^r and charged to the Colony of North Carolina, by which the same is to be accounted for.

The petition of Messrs. Sears and Randal referred to this day was postponed till to Morrow.

Resolved, That the farther consideration of the report of the Committee of conference be referred till to Morrow.

||The several matters to this day referred being postponed, and the order of the day renewed,

Adjourned to ten o'clock to-morrow.||

TUESDAY, NOVEMBER 7, 1775

A letter from General Washington, No. 11, was read.¹

The secretary having digested in order the resolutions of Congress, as far as they have gone on the report of the Committee of Conference, produced the same, which being read, and agreed to as follows:

¹ This letter is in *Papers of the Continental Congress*, No. 152, I, folio 255, and is printed in *Writings of George Washington*, (Ford) III, 190.

Resolved, That the following additions and alterations or amendments, be made in the RULES and REGULATIONS of the continental Army, viz.

1. All persons convicted of holding a treacherous correspondence with, or giving intelligence to the enemy, shall suffer death, or such other punishment as a general court-martial shall think proper.

2. All commissioned Officers found guilty by a general court-martial of any fraud or embezzlement, shall forfeit all his pay, be *ipso facto* cashiered, and deemed unfit for further service as an officer.

3. All non-commissioned Officers and soldiers, convicted before a regimental court-martial of stealing, embezzling or destroying ammunition, provisions, tools, or any thing belonging to the public stores, if a non-commissioned officer, to be reduced to the ranks, and punished with whipping, not less than fifteen, nor more than thirty-nine lashes, at the discretion of the court-martial; if a private soldier with the same corporal punishment.

4. In all cases where a commissioned officer is cashiered for cowardice or fraud, it be added in the punishment, that the crime, name, place of abode, and punishment of the delinquent be published in the news papers, in and about the camp, and of that colony from which the offender came, or usually resides: after which it shall be deemed scandalous in any officer to associate with him.

5. Any officer or soldier, who shall begin, excite, cause, or join in any mutiny or sedition in the regiment, troop, or company to which he belongs, or in any other regiment, troop, or company of the continental forces, either by land or sea, or in any party, post, detachment or guard, on any pretence whatsoever, shall suffer death, or such other punishment, as a general court-martial shall direct.

6. Any officer or soldier, who shall desert to the enemy, and afterwards be taken, shall suffer death, or such other punishment, as a general court-martial shall direct.

7. Whatsoever commissioned officer shall be found drunk on his guard, party, or other duty under arms, shall be cashiered and drummed out of the army with infamy; any non-commissioned officer or soldier, so offending, shall be sentenced to be whipt, not less than twenty, nor more than thirty-nine lashes, according to the nature of the offence.

8. Whatsoever officer or soldier, placed as sentinel, shall be found sleeping upon his post, or shall leave it before he shall be regularly relieved, if a commissioned officer, shall be cashiered, and drummed out of the army with infamy; if a non-commissioned officer or soldier, shall be sentenced to be whipt, not less than twenty, nor more than thirty-nine lashes, according to the nature of the offence:

9. No officer or soldier shall lie out of his quarters or camp, without leave from the commanding officer of the regiment, upon penalty, if an officer, of being mulcted one month's pay for the first offence, and cashiered for the second; if a non-commissioned officer or soldier, of being confined seven days on bread and water for the first offence; and the same punishment and a forfeiture of a week's pay for the second.

10. Whatsoever officer or soldier shall misbehave himself before the enemy, or shamefully abandon any post committed to his charge, or shall speak words inducing others to do the like, shall suffer death.

11. All public stores taken in the enemy's camp or magazines, whether of artillery, ammunition, clothing, or provisions, shall be secured for the use of the United Colonies: and all commissioned officers, found guilty, by

a general court-martial, of embezzling the same, or any of them, shall forfeit all his pay, be *ipso facto* cashiered, and deemed unfit for farther service as an officer. And all non-commissioned officers and soldiers, convicted before a regimental court-martial of stealing or embezzling the same, if a non-commissioned officer, shall be reduced to the ranks, and punished with whipping, not less than fifteen, nor more than thirty-nine lashes, at the discretion of the court-martial; if a private soldier, with the same punishment.

12. If any officer or soldier, shall leave his post or colours, in time of an engagement, to go in search of plunder, he shall, if a commissioned officer, be cashiered, and drummed out of the army with infamy, and forfeit all share of plunder; if a non-commissioned officer or soldier, be whipped, not less than twenty, nor more than thirty-nine lashes, according to the nature of the offence, and forfeit all share of the plunder taken from the enemy.

13. Every officer commanding a regiment, troop, or company, shall, upon notice given to him by the commissary of the musters, or from one of his deputies, assemble the regiment, troop, or company under his command, in the next convenient place for their being mustered, on penalty of his being cashiered, and mulcted of his pay.

14. At every muster, the commanding officer of each regiment, troop or company there present, shall give to the Commissary of Musters, certificates signed by himself, signifying how long such officers, non-commissioned officers and soldiers, who shall not appear at the said muster, have been absent, and the reason of their absence, which reasons and the time of absence, shall be inserted in the muster rolls, opposite the names of such absentees: and the surgeons or their mates, shall at the same time give to the Commissary of musters a certifi-

cate signed by them, signifying the state of health or sickness of those under their care, and the said certificate shall, together with the muster rolls, be by the said commissary transmitted to the general, and to this or any future Congress of the United Colonies, or committee appointed thereby, within twenty days next after such muster being taken, on failure whereof, the Commissary so offending, shall be discharged from the service.

15. Every officer who shall be convicted before a general court-martial, of having signed a false certificate relating to the absence of either officer, non-commissioned officer, or private soldier; and every surgeon or mate, convicted of signing a false certificate, relating to the health or sickness of those under his care, shall be cashiered.

16. All officers and soldiers who shall wilfully, or through negligence, disobey any general or special orders, shall be punished at the discretion of a regimental court-martial, where the offence is against a regimental order, and at the discretion of a general court-martial, where the offence is against an order given from the commander in chief, or the commanding officer of any detachment or post, and such general court-martial can be had.

Ordered, that the same be transcribed in order to be forwarded by express to the General.¹

Resolved, That Dr. Church be close confined in some secure gaol in the colony of Connecticut, without the use of pen, ink, and paper, and that no person be allowed to converse with him, except in the presence and hearing of a Magistrate of the town, or the sheriff of the county where he shall be confined, and in the English language, until farther orders from this or a future Congress.

¹These additions and alterations were printed in the *Pennsylvania Packet*, 20 November, 1775.

On motion made, *Resolved*, That the Congress proceed by ballot to the election of field officers for the two battalions ordered to be raised in the Colony of New Jersey.

The Congress then proceeded to the election and

Lord Sterling was unanimously chosen colonel of the first battalion.

William Winds, Esq. lieutenant colonel of the said Battalion.

William De Hart, Major of the said Battalion.

William Maxwell, Esq. colonel of the second Battalion.

Israel Shrieve, Esq. lieutenant Colonel of the said battalion.

David Rhea, Esq. Major of the said battalion.

~~On motion made, Resolved That orders issue to the Colonels of said regiments to compleat their regiments as soon as possible and to order the companies as fast as compleated to march to the fort erected at the highlands on Hudsons river there to wait the orders of Congress.~~

~~Resolved, That the companies in the said battalions consist of 1 Capt 2 lieutenants 2 ensign, 4 sergeants 4 corporals 2 drums or fifes and 76 privates.~~

Mr. Dickinson desiring to be excused from attending the Committee for importing arms &c which meets in the Evening, on account of his living out of town, he was excused

On Motion made, *Resolved*, That three new members be added to the Committee for importing Arms and ammunition and that any five of them be a quorum.

The Members chosen Mr. [Francis] Lewis, Mr. [Josiah] Bartlett, and Mr. [Archibald] Bullock.

Mr. [John] Dickinson brought a verbal message from the Assembly of Pensylvania, respecting the resolution sent to them by Mr. [Thomas] M'Kean, and Mr. [Silas] Deane, desiring to know on what evidence the Congress

ground the apprehensions therein expressed, of hostilities being commenced, at or near Wyoming, between the Inhabitants of the colony of Pennsylvania and those of Connecticut.

Ordered, That the same be referred till to Morrow.

The Committee appointed to take into consideration the state of New York, brought in their report:

Ordered, That the same be referred till to Morrow.

The order of the day being renewed, and the several matters to this day referred, being postponed,

Adjourned till 10 o'Clock to Morrow.

WEDNESDAY, NOVEMBER 8, 1775

On motion made, *Resolved*, That the Secret Committee appointed to contract for the importation of arms, ammunition, &c. be empowerd to export to the foreign West Indies, on account and risque of the Continent, as much provision, or any other produce, (except horned cattle, sheep, hogs, and poultry) as they may deem necessary for the importation of arms, ammunition, sulphur, and salt petre.

Resolved, That a Committee of three be appointed to confer with Mr. [Samuel] Kirkland.

The Committee appointed, Mr. [Thomas] Cushing, Mr. [George] Wythe, and Mr. [Samuel] Ward.

The Committee of Claims made the following report,

That there is due to Alexander Klinger, the sum of £9.10 for provisions furnished to Captain Hendrick's company; and to Resina Mourer, 9/2, for ferriage, and that the same ought to be paid to Henry Christ, =26.5 dollars.

That there is due to George Cungle, £4.16.10, for provisions furnished to Captain Ross's company, =12.9 dollars.

That there is due to Henry Valentine, £3.18, for transcribing writings for the Congress, =10.4 dollars.

That there is due to Samuel Bear, for provisions furnished to several companies, the sum of £27.15.7, and that the same ought to be paid to Thomas Compton, =74 dollars.

That there is due on several certificates and accounts forwarded by Lewis Ogden, for necessaries furnished Captain Ross's company, and for a guard over a powder wagon, the sum of £42.0.2, New York currency, and that the same ought to be paid to George Kennedy, =105 dollars.

That there is due to Henry Dearing, the sum of £6.17, for necessaries furnished to Captain Ross's company, and that the same ought to be paid to John Biddle, junior, =18.3 dollars.

That there is due to John Jones, for ferriage of Captain Ross's company and for provisions for them, the sum of £2.0, =5.3 dollars.

That there is due on certificates produced by Matthias Slough, for provisions furnished several rifle companies, the sum of £22.3.2, =59 1/10 dollars.

That there is due on several certificates of provisions furnished Captain Ross's company, the sum of £23.15.5, New York currency, and that the same ought to be paid, per order, to — =59.4 dollars.

Ordered, That the above accounts be paid.

The Congress taking into consideration the report of the Committee to whom were referred the letters from the convention of New York and the state of that colony,

Resolved, That a commander with the rank of a Colonel, be appointed to take the command of the fortifications or fortresses on the Highlands on Hudson's river.

Resolved, That it be recommended to the convention of New York, to empower him the said commander to call together and command two hundred men of the militia of Dutchess, Orange, and Ulster Counties, and one Company of artillery from the city of New York, who shall be stationed in the high lands until relieved by the company of Artillery, directed by this Congress to be raised in the city of New York, and such other continental troops as may hereafter be directed to take possession of the same.

Resolved, That the minute men or militia, while on service, be maintained and paid at the same rate, as the rest of the continental forces.

Resolved, That a number of the militia of the counties of Dutchess, Orange, and Ulster, be formed into independent companies, under the direction of the commander of the said fortresses, and in case of alarm, be directed to repair to the several stations in the highlands, which, in order to prevent confusion, should be immediately assigned them.

Resolved, That the troops, which shall at any time hereafter be directed to garrison the fortresses in the highlands, be put under the direction of the commander of the fortresses, except when headed by a general officer.

Resolved, That the deputy Commissary general be directed to provide sufficient provision for 1,000 men for one month, and keep that quantity in stock.

Resolved, That the powder sent from this place to General Schuyler, be remanded, if it can be any ways spared, and left at the fortresses in the highlands.

Resolved, That the Committee of safety of this city, be requested to furnish the Colony of New York with 500 lbs. of powder, and to forward the same immediately to Dobb's ferry; that the Convention of New York give

orders, to receive it there, and send it as soon as possible to the fortresses in the highlands.

Resolved, That it be recommended to the Convention of New York, if they have not already sent forward a sufficient number of cannon for the defence of the fortresses erecting in the highlands, that they immediately send forward to those fortresses so many of the cannon at King's bridge of the best quality and largest bore, as they may think necessary for that purpose.

On motion made, *Resolved*, That the bills of sale, for the vessels ordered to be bought, be made to the continental treasurers, or those who succeed them in that office, in trust nevertheless for the use of the Continent, or their representatives, in Congress met.

Resolved, That the appointment of a commander of the fortresses at the highlands || on Hudson's river be deferred till || to Morrow morning.

Mr. [Eliphalet] Dyer having, on account of his indisposition, excused himself from going to the northward, the Congress proceeded to the election of another when Mr. R[obert] R. Livingston was chosen.

The Congress then resumed the consideration of the instructions reported to the said Committee, which being debated by paragraphs, were agreed to as follows:

Instructions to R. R. Livingston, Robert Treat Paine, and John Langdon, Esquires.

GENTLEMEN,

The Congress expect that you repair, with as much despatch, as the necessary preparations for your journey will admit, to Ticonderoga, in order to consult with General Schuyler what number of forces will be necessary in Canada, and of the best and most efficacious method for procuring or continuing such forces in the northern department during the ensuing winter, of engaging the inhabitants of the colony of Canada to accede to the Association of the United Colonies, and of protecting them for the future against their and our enemies.

If, upon such a conference, it shall be judged necessary, you are authorized to direct Mr. Livingston, the deputy commissary general, to furnish the necessary provisions for an Army of three thousand men for six months.

You are also authorized to offer two months' pay as a bounty to such officers and soldiers as shall re-inlist, to be paid upon their taking the fortress at St. John's and Montreal, and you are to make use of every argument, to induce them to re-inlist, or at least to stay until they can be relieved, and to assure them, that the Congress have taken care to supply them with proper cloathing.

You are to direct the fortresses at Ticonderoga and Crown Point, to be put into such a posture of defence, as the state of our affairs may require.

You are to advise the general to purchase of such officers and soldiers, who have arms and are sick, their arms for the use of those who have none, or bad ones and are well.

Ammunition, it is hoped since the late capture, will not be wanting, if it should, Congress will send the first that shall arrive.

If there should be occasion of reinforcements, you are empowered, in concert with General Schuyler, to raise any number that can be procured in Canada, New York, or any of the New England Governments, in order to possess themselves of Montreal and Quebec.

The Congress desire you to exert your utmost endeavours to induce the Canadians to accede to a union with these colonies, and that they form from their several parishes, a provincial Convention, and send Delegates to this Congress. And as, in the present unsettled state of that country, a regular election can hardly be expected, the Congress will acquiesce in the choice of such parishes and districts, as are induced | willing | to join us.

You may, and are hereby empowered to assure them, that we shall hold their rights as dear as our own, and on their union with us, exert our utmost endeavours to obtain for them, and their posterity, the blessings of a free government, and that security to their persons and property, which is derived from the British Constitution.

And you may, and are hereby empowered further to declare, that we hold sacred the rights of conscience, and shall never molest them in the free enjoyment of their religion.

In case General Schuyler has not yet raised the regiment recommended to him to be raised in Canada, or in case he cannot proceed to

Canada, you are to use all the means in your power to perfect the raising of a regiment of Canadians, to join the continental forces, and you are, for that purpose, to take with you blank commissions, which, taking the advice of the general Officers in that department, you are to fill up with the names of such persons as have the most merit and the best qualifications for the service.

Congress direct you to acquaint General Schuyler, that they approve of his appointment of captain Dimon, to be a Brigade Major, and have ordered him a commission accordingly.

The Congress moreover are desirous that you should take an accurate view of the state of our fortifications upon Hudson's river, and make a report of it as soon as it can conveniently be done.

If the circumstances of the Army should be such, that a ton of powder may be spared, you are to direct that quantity to be sent back to New York, and all such cannon and military stores as shall not be wanted in Canada, or in the fortifications on the lakes, to be sent to Albany, there to remain until the Congress give farther directions concerning them; and for this purpose, you are herewith furnished with a list of the ordnance and military stores, which were at those places when taken.

You are to inform the general that the pay of some of the officers is raised, and to take with you from the minutes, the additional establishment.

You are to direct all such officers and soldiers as shall re-enlist, to be paid all arrears that may be due to them, according to the rolls to be sent by governor Trumbull, who in the mean time will be requested by Congress to send the rolls to the General, ascertaining how long the men have been in service.

The disposition of the prisoners is approved of by the Congress, but the officers are not to be permitted to reside in or near any sea port.

You are authorized to assure Major Brown and Major Livingston, that Congress have a just sense of their important services, and will take the first proper opportunity to reward them.

You are also to acquaint the General, that General Montgomery's request, as to the pay of the company of artillery by him appointed, is complied with.

A Committee will be appointed to procure as much hard money as will be necessary to be transmitted to the deputy pay master general in the northern army, to be used in Canada.

On motion made, *Resolved*, That the Committee appointed to make an estimate, &c. be authorized to contract for the making proper paper for a future emission of paper bills of credit.

On motion made, *Resolved*, That the president draw an Order on the Treasurers for the sum of 3,000 dollars, in favour of the committee of safety of this province, agreeable to the request of the honorable the Assembly, towards the expence of the battalion ordered to be raised in this province.

On motion made, *Resolved*, That all letters to and from the delegates of the United Colonies, during the sessions of Congress, pass, and be carried free of postage, the members having engaged upon their honour not to frank or enclose any letters but their own.¹

Ordered, That this be published.

On motion made, *Resolved*, That an order be drawn on the treasurers for the sum of 20,000 dollars in favour of Francis Lewis and Roger Sherman, Esqrs. to enable them to pay for the clothing ordered to be purchased by them.

The other matters to this day referred, being postponed, and the order of the day renewed,

Adjourned to ten o'Clock to Morrow.

THURSDAY, NOVEMBER 9, 1775

On motion made, *Resolved*, That every member of this Congress considers himself under the ties of virtue, honor and love of his Country not to divulge directly or indirectly any matter or thing agitated or debated in Congress before the same shall have been determined, without leave of the Congress; nor any matter or thing determined in

¹ This resolution was printed in the *Pennsylvania Packet*, 10 November, 1775.

Congress which a majority of the Congress shall order to be kept secret and that if any member shall violate this agreement he shall be expelled this Congress and deemed an enemy to the liberties of America and liable to be treated as such and that every member signify his consent to this agreement by signing the same.

A letter from the Agents Mr. [Richard] Penn and Mr. A[rthur] Lee respecting the delivery of the petition and the reception it met with, was read:

Ordered, That the substance of said letter be published.¹

The Congress took up the order of the day for appointing a commander of the fortresses on Hudson's river, and some debate arising thereon,

On motion made, *Resolved*, That the appointment of a commander of the said fortresses be postponed to Wednesday next, and [that] Captain John Hanson take and keep the command of the said fortresses and the troops there, until the Congress shall appoint a commander.

On application made by the delegates of Georgia,

Resolved, That the president draw an order on the treasurers in favour of the delegates of that Colony, for the sum of five thousand dollars, towards the expence of the battalion ordered to be raised in that Colony, the said Colony to account for the same.

The Congress resumed the consideration of the report of the Committee appointed to consider the application

¹The Postscript to the *Pennsylvania Packet*, 10 November, 1775, contained the following:

"By authentic intelligence from London by the last vessel, we learn that on the 21st of August a copy of the petition to the King, which was sent from the Congress by Mr. R. Penn, was sent to the Secretary of State for America, and on the first of September, the first moment that was permitted, the original was presented to him, which his Lordship promised to deliver to his Majesty.

"His Lordship was pressed to obtain an answer, but those who presented it were told, 'THAT AS HIS MAJESTY DID NOT RECEIVE IT ON THE THRONE, NO ANSWER WOULD BE GIVEN.'"

from the Inhabitants of Nova Scotia, and after some debate, the same was postponed till to Morrow.

The order of the day renewed and the several matters to this day referred, postponed till to Morrow.

||Adjourned to ten o'clock to Morrow.||

FRIDAY, NOVEMBER 10, 1775

On motion made, *Resolved*, That an order be drawn on the treasurers for 1000 dollars, in favour of Mr. R[obert] R. Livingston, Mr. [Robert Treat] Paine, and Mr. [John] Langdon, the Committee appointed to repair to the northward,

On motion made, *Resolved*, That the goods bought for the northern army be sent by land to Dobb's ferry, and that the president write to the convention of New York, and desire them to have a vessel ready to take in the said goods, and transport them immediately to Albany.

Resolved, That the medicines purchased in this city for the army at Cambridge, be sent thither by land.

Resolved, That the president give written orders to Dr. [John] Morgan, to call upon Mr. [Isaac] Sears, and desire him to deliver what medicines he has under his care, or can procure, that they may be forwarded to the camp at Cambridge, for the use of the continental army.¹

On motion made, *Resolved*, That a Committee be appointed to enquire into the state of the colony of Virginia, to consider whether any, and what provisions may be necessary for its defence, and to report the same to the Congress.

That the committee consist of five.

The members chosen, Mr. S[amuel] Adams, Mr. [Thomas] Lynch, Mr. [James] Wilson, Mr. [Samuel] Ward, and Mr. [Thomas] Johnson.

¹ Against this paragraph in the "Corrected Journals" is written the word "Secret."

Resolved, That all letters to and from the commander in chief in the continental army, or the chief commander in the army in the northern department, pass and be carried free of postage.

Resolved, That the commander of the New Jersey battalions be directed to march six companies of said battalions, as soon as they are completed, to garrison the fort on Hudson's river, in the highlands, in the Colony of New York.

Resolved, That the president write to Governor Cooke, and request him to send to the Committee of Safety of New York, one ton of powder, for the defence of that City and Colony.

Resolved, That there be paid to John Wendall, the express from Albany, who has been detained several || twelve || days by order of the Congress, the sum of 1 1/3 dollars per day || sixteen dollars, || for the time he has been so detained.

Resolved, That an order be drawn on the treasurers in favor of the delegates of New Jersey, for the sum of 5000 dollars, for the use of the battalions || ordered to be raised in that colony. ||

Ordered, That the delegates of Pennsylvania do call on the gentlemen appointed to sign the continental bills, and request them with all possible expedition to compleat that business.

The Committee appointed to consider farther ways and means of promoting the manufacture of salt petre, brought in their report, which was read in these words:

It appears to your Committee, that skilful persons sent to Virginia, and employed there in a public salt petre work, under the inspection of gentlemen who will superintend it, may, with sufficient assistance, produce a considerable quantity of that article; and that a farther supply of it may be procured from the other colonies, if the assemblies,

conventions, and councils of safety will appoint proper persons in their respective colonies, whose business it shall be to employ and set to work such and so many of their countrymen, as they shall judge fit, to collect earth from which nitrous salt may be extracted, and to manufacture it into salt petre.

The Congress taking into consideration the said report, *Resolved*, That Richard Bland, Peter Poythress, John Bannister, John Buffin, Archibald Cary, Benjamin Watkins, John Tabb, Richard Adams, Richard Randolph, and Theodorick Bland, the younger, Esquires, or any five or more of them, be desired and empowered to agree with the proprietors of the public warehouses, and of other places impregnated with nitre, in the counties of Prince George, Dinwiddie, Chesterfield, and Henrico; Carter Braxton, John Syme, Burwell Basset, Bartholomew Dandridge, William Aylett, George Brook, George Lyne, and George Webb, Esquires, or any five or more of them, with such proprietors in the counties of Hanover, New Kent, King William, and King and Queen; Edmund Pendleton, James Taylor, George Stubblefield, Mann Page, the younger, Joseph Jones, William Fitzhugh, of Somerset, and Fielding Lewis, Esquires, or any four or more of them, with such proprietors in the counties of Caroline, Spotsylvania, and King George; and Charles Carter, of Stafford, Thomas Ludwell Lee, Henry Lee, Thomas Blackburn, Charles Broadwater, and George Mason, Esquires, or any three or more of them, with such proprietors in the county of Stafford, Prince William, and Fairfax, in the colony of Virginia, to purchase for the use of the United Colonies, all the salt petre which may within twelve calendar months be produced from the floors and yards of the warehouses and other places, under the management of such persons as the Congress

shall appoint for that purpose, and to pay to the owners of the soil, if they will manufacture it at their own expence, after the rate of two fifth parts of a dollar for every pound weight, avoirdupois, of clean, pure, and neat salt petre, delivered to the gentlemen above named, for the use of the United Colonies, and to hire labourers, and provide the necessary apparatus, to be employed under the direction of the said Managers, in the soil of such persons as shall not chuse to adventure in the business themselves, paying to the owners, if they require satisfaction, what they shall be willing to take, so that it do not exceed one forty-fifth part of a dollar for every pound weight, avoirdupois, of salt petre of the like quality, in both which cases the Congress will make good the contracts, and will pay all such expenses as shall be incurred by the gentlemen desired to superintend the operation; on whose zeal, influence, and abilities, to procure, with all convenient expedition, a large quantity of this article, so necessary for the defence of their country, and thereby render it a very important service, and by their example and activity to forward and encourage this useful work, the Congress rely with confidence.

Resolved, That it be recommended to the Assemblies, Conventions, and committees of Safety, of the thirteen United Colonies, to appoint certain persons within each of the said colonies, whose business it shall be to employ and set to work so many persons as they may think proper, both to work up such earth as is now fit for making salt petre, and to collect together and place in beds or walls under sheds, all such earth and composition of materials as are suitable to produce salt petre, after being duly exposed to the air, in order to encrease the produce of it, and that the delegates of the respective colonies be directed to send this resolve, together with the resolve of

last session respecting salt petre, to their respective colonies, and cause them to be printed and made public there.

The Congress resuming the consideration of the report of the Committee on Nova Scotia,¹

Resolved, That two persons be sent at the expence of these colonies to Nova Scotia to enquire into the state of that colony, the disposition of the inhabitants towards the American cause and the condition of the fortifications, Docks, yards, the quantity of artillery and warlike stores and the number of soldiers, sailors and ships of war there and transmit the earliest intelligence to General Washington.¹

Resolved, That General Washington be directed in case he should judge it practicable and expedient to send into that colony a sufficient force to take away the cannon and warlike stores and to destroy the docks, yards and magazines, and to take or destroy any ships of war and transports there belonging to the enemy.¹

Resolved, That two Battalions of marines be raised, consisting of one Colonel, two Lieutenant Colonels, two Majors, and other officers as usual in other regiments; and that they consist of an equal number of privates with other battalions; that particular care be taken, that no persons be appointed to office, or inlisted into said Battalions, but such as are good seamen, or so acquainted with maritime affairs as to be able to serve to advantage by sea when required: that they be inlisted and commissioned to serve for and during the present war between Great Britain and the colonies, unless dismissed by order of Congress: that they be distinguished by the names of the first and second battalions of American Marines, and that they be considered as part of the number which the continental Army before Boston is ordered to consist of.¹

¹ Against these paragraphs in the "Corrected Journals" is written the word "Secret."

Ordered, That a copy of the above be transmitted to the General.||

Resolved, That to Morrow be assigned for taking into consideration the Report of the Committee on the disputes between the people of Connecticut and Pennsylvania on the waters of Susquehannah.

The order of the day renewed,
Adjourned to ten o'Clock to Morrow.

SATURDAY, NOVEMBER 11, 1775

On motion made, *Resolved*, That it be recommended to such proprietors of Tobacco warehouses, and tobacco houses in Virginia and Maryland, as cannot speedily have the earth of the floors of their houses worked for salt petre, that they cause those floors to be soon dug up and left fine, loose, and light, at least six Inches deep, suffering the tobacco stalks and trashy leaves to be spread thereon, and leaving the doors open, especially in dry weather, as often as convenience will permit, whereby the soil will be much the more impregnated with nitrous particles, the manufacture of salt petre facilitated, and the quantity thereof greatly increased.

Two petitions, one from Charles Wharton and the other from James Loughhead, ||each|| praying to be appointed commissary to the Battalions raising in this colony, were read.

Ordered, To lie on the table.

On motion made, *Resolved*, That a Committee of 3 be appointed to contract with such person or persons as will undertake, at the cheapest rate, to supply such continental troops as are or may be in the barracks at Philadelphia, during their stay there, with the rations allowed by this Congress.

The members appointed, Mr. [Thomas] Lynch, Mr. [Francis] Lewis, and Mr. [Andrew] Allen.

Resolved, That the recruiting officers in Pennsylvania, send the recruits they may enlist as soon as raised, to the Barracks in Philadelphia.

A letter from Volkert P. Douw, Esq^r dated 6th instant, was read.¹

On motion made, *Resolved*, That a committee of five be appointed to take the foregoing letter, and the minutes of the treaty held with the Indians ||at Albany||, by the Indian Commissioners of the northern department, into consideration and report thereon.

The members chosen, Mr. [George] Wythe, Mr. [Benjamin] Franklin, Mr. [Roger] Sherman, Mr. [James] Duane, and Mr. [Thomas] Cushing.

On motion made, *Resolved*, That the Committee appointed to proceed to Ticonderoga and Canada, be directed to confer with the Generals commanding in that department, on the propriety of sending the whole or any part of the army under their command, with proper artillery and ammunition, to Quebec, in order to second Colonel Arnold's expedition, or to renew the attempt, should his have failed, and to give directions accordingly.

Resolved, That the fortifications of Quebec, in case it comes into our hands, be repaired, and furnished with such provisions, arms, ammunition and artillery, as may be necessary to its security.

Resolved, That in case any one of the foregoing Committee be disabled or prevented from proceeding, the other two have full power to proceed and transact the business entrusted to them.

The committee appointed to confer with Mr. [Samuel] Kirkland, brought in their report, which was read, and

¹ This letter is in *Papers of the Continental Congress*, No. 78, VII, folio 17.

the same being taken into consideration, the Congress came to the following resolution:

Whereas, Mr. Kirkland has been put to considerable expence and has undergone much fatigue and hardship in procuring the Indians to meet the Commissioners at Albany and enter into the treaty concluded there in August last; and that he hath been very active and successful in endeavouring to conciliate the good will of those people towards the inhabitants of the united colonies and hath in some measure defeated the machinations of the emissaries and agents of the british Ministry to increase the number of our enemies.

Resolved, That 113 dollars be paid to the rev. Samuel Kirkland, for his past services, out of the continental treasury.

Resolved, That for the propagation of the Gospel amongst the Indians, and conciliating their affections to the United Colonies, and thereby preserving their friendship and neutrality, Mr. Kirkland be continued in his mission amongst them, and that for those important purposes, he be allowed and paid out of the continental treasury, for the support of himself and family the ensuing year, sixty-five pounds sterling, or 288 8/9 Dollars, and that sixty pounds sterling, or 266 2/3 dollars be advanced to him, to be disposed of by him in such manner as may best promote the happiness of the Indians, and attach them to these colonies.

Resolved, That the farther consideration of the report be postponed until the Committee to whom Mr. Douw's letter, and the minutes of the late treaty are referred, have made their report.

On motion made, *Resolved*, That 3,000 tin cartridge boxes be made and sent to the Camp, but if tin ||sufficient to make them|| can be procured, to send it.

Ordered, That the delegates of Pennsylvania be appointed to carry the above resolve into execution.

On motion made, *Resolved*, That the Committee on salt petre be empowered to contract with the gentlemen who offer to proceed to Virginia on this business.

Resolved, that the report of the Committee on the disputes between the people of Pennsylvania and Connecticut be referred to Monday.

On motion made, *Resolved*, That 500,000 dollars be sent to the pay master general, for the use of the army in the Massachusetts bay.

That 50,000 dollars be sent to the convention of New York, to be accounted for by said convention.

That the delegates of Pennsylvania be appointed to count and forward the said sums under a guard of three, viz, 2 of the light horse, and a servant.

Two petitions, one from Murray, Sansom and others, and the other from Jasper Griffin, were read.

Ordered, To be referred to a committee of 3.

The members chosen, Mr. [Thomas] Lynch, Mr. [Richard Henry] Lee, and Mr. [Thomas] Johnson.

||The order of the day being renewed,

Adjourned to ten o'clock on Monday.||

MONDAY, NOVEMBER 13, 1775

Letter from General Washington, with sundry papers enclosed, were read.¹

On motion made, *Resolved*, That the Rules and regulations for the Army be published, with the additions and alterations lately made, and that the preamble or first article, giving the soldiers leave to sign or not to sign the same be omitted.

¹This letter is in *Papers of the Continental Congress*, No. 152, I, folio 250, and is printed in *Writings of George Washington* (Ford), III, 193.

On motion made, *Resolved*, That a Committee be appointed to prepare a declaration, in answer to sundry illegal ministerial proclamations that have lately appeared in America.

That the Committee consist of three. The Members chosen, Mr. R[ichard Henry] Lee, Mr. [James] Wilson, and Mr. W[illiam] Livingston.

On motion made, *Resolved*, That Wednesday next, the 22d. instant, be assigned for the appointment of a Brigadier general for the Army in the Massachusetts bay.

Resolved, That to Morrow be assigned for taking into consideration the Memorials respecting tea.

TUESDAY, NOVEMBER 14, 1775

Several matters to this day referred being postponed, and the order of the day renewed,
Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, NOVEMBER 15, 1775

An Express having arrived with an account of the surrender of fort St. John's, the letters from General Schuyler and general Montgomery were read.¹

On motion made, *Ordered*, That an order be drawn on the treasurers for 542 dollars in favour of Captain Thomas Price, he to be accountable for the same, being on account of his rifle company.

The Committee to whom the petition from Jasper Griffin, and the petition from Murray, Sansom and com-

¹ Schuyler's letter, dated November 7, is in *Papers of the Continental Congress*, No. 153, I, folio 254. That of Montgomery, dated 3 November, 1775, is in *Papers of the Continental Congress*, No. 161, folio 393. The articles of capitulation are in the same number, folio 449.

pany and others, were referred, brought in their report, as follows:

That your committee on the memorial of Jasper Griffin, are of opinion, that the examination of the facts, set forth in that memorial, ought to be referred to the committee of observation, for Guilford, and that the same being sufficiently proved, the schooner *Betsey*, mentioned in said memorial, ought to be permitted to proceed on her voyage, with the cargo purchased and provided for her before the 10th day of September last, the master and owner of the vessel previously making oath, that they will use their best and utmost endeavours, that the said Cargo shall be landed in some foreign port.

On the memorial of Murray, Sansom and company, Jacob Watson, and Frederick Rhineland, of the city of New York, your Committee having examined as far as they could, into the conduct of the parties concerned, find no ground to suspect that the owners of the cargo intended it should be landed or disposed of in any other manner than set forth in the said memorial, but your Committee think there are just grounds to suspect, that William Barron, the master of the ship *Peggy*, would not be very solicitous to prevent the cargo, which might be useful to the ministerial army, from falling into the possession of the men of war, he having been before taken in the same ship, in Rhode Island, with a cargo from Chesapeake Bay, for Europe, nor can your Committee approve the conduct of the Owner of the Ship who continued the captain afterwards.

Your Committee are therefore of opinion, that another master ought to be appointed to the said ship, who shall be approved by the committee of Norwich, and that the time of her sailing, as well as her tract be appointed by that committee, and the master sworn to use his best en-

deavours to prevent the said ship falling into the possession of any men of war or cutter, and to pursue as far as he can, the orders of the said committee in navigating the said ship, on which terms your Committee are of opinion, the said ship ought to be permitted to proceed with her cargo.

The said report being read, was accepted and agreed to.

A proposal being made by Nathaniel Sackett, for making a quantity of salt petre, being read,

Resolved, That the same be referred to the salt petre Committee.

The report on the differences between the people of Connecticut and Pensylvania, also the appointment of a Brigadier General be postponed till to Morrow.

Order of the day renewed,

Adjourned to ten o'Clock to Morrow.

THURSDAY, NOVEMBER 16, 1775

On motion made, *Resolved*, That two small swift sailing vessels be provided for packets, to be under the direction of the Congress.

Ordered, That Mr. R[obert] Morris of this city, be appointed to provide said vessels, and that he be directed to get one ready to sail as soon as possible, and the other in a month hence.

That a Committee of three be appointed to devise ways and means for employing these vessels to the best advantage.

The Members chosen, Mr. [Thomas] Lynch, Mr. R[obert] Morris, and Dr. [Benjamin] Franklin.¹

Resolved, That the appointment of a Brigadier General be deferred until Thursday next.

¹ In the "Corrected Journals" these four paragraphs are marked "Secret."

The Assembly of Pennsylvania having, ||by a resolution of their house,|| recommended ||three|| gentlemen for field officers for the battalion ordered to be raised in said Colony, and applications from sundries, for adjutant and Quarter Master ||to said battalion,|| being laid before Congress, ||were read||.

Ordered, To lie on the table.

Sundry papers from the general Court of the colony of Massachusetts bay, being laid before the Congress, and read,

Resolved, That the same be referred to a committee of 7.

The members chosen, Mr. [Thomas] Johnson, Mr. [Roger] Sherman, Mr. W[illiam] Livingston, Mr. [Samuel] Ward, Mr. [Thomas] Jefferson, Mr. [William] Hooper, and Mr. [Benjamin] Harrison.

On motion made, *Resolved*, That the Committee appointed ||on the 11th instant, to contract|| for supplying the Pennsylvania battalion in Philadelphia, be empowered to contract for supplying the same ||wherever sent,|| for 12 Calendar Months, to commence Monday, next, provided they are so long continued in the continental service.

The Committee of Claims reported, that there is due to Henry Rankin, for provisions, &c. to Captain Ross's Company of riflemen £60.14.5½=161.9 dollars.

That there is due to John Hider, for a boat and 5 men 2 days carrying powder to Trenton, the sum of £4, to be paid to Joseph Jewell=10.6 dollars.

That there is due to Francis Lee, for horse hire for expresses, the sum of £7.10=20 dollars.

That there is due to John Little, for entertaining of several expresses, the sum of £6.6.7=16.8 dollars.

Ordered, That the same be paid.

The Committee of Claims also reported an account of

Major Coates and Captain Cowperthwaite, which being read,

Ordered, That the same lie on the table for the perusal of the members.

Ordered, That the delegates write to their colleagues, who are absent, and inform them that the Congress expect their immediate attendance.

Resolved, That for the future, no member absent himself from Congress without leave of Congress.

That the Report of the Committee on the disputes between Pennsylvania and Connecticut be referred till to Morrow.

On motion, *Resolved*, That it be a rule of this Congress, that every member remain in his seat whilst any paper is reading or question putting.

A letter from Mr. [Thomas] Mifflin, Quarter Master general of the 3^d Inst., to the Committee for providing cloathing, was read, and returned to said Committee.

Resolved, That the consideration of the Instructions to the delegates of Rhode island be deferred till to Morrow.

The order of the day being renewed,
Adjourned to ten o'Clock to Morrow.

FRIDAY, NOVEMBER 17, 1775

A letter from General Washington, with a letter and journal from Colonel Arnold,¹ and sundry papers, were read: and the General's letter being taken into consideration,²

Resolved, That a committee be appointed, to take into

¹ Arnold's letter and Journal are in the *Papers of the Continental Congress*, No. 162, folios 24-28.

² This letter is dated November 8, and is in the *Papers of the Continental Congress*, No. 152, I, folio 275, and is printed in *Writings of George Washington*, (Ford) III, 202. The copy of Arnold's Journal is in the *Papers of the Continental Congress*, No. 162, folio 28.

consideration so much of said letter as relates to the disposal of such vessels and cargoes belonging to the enemy, as shall fall into the hands of, or be taken by, the inhabitants of the United Colonies.

That the Committee consist of 7.

The members chosen, Mr. [George] Wythe, Mr. E[dward] Rutledge, Mr. J[ohn] Adams, Mr. W[illiam] Livingston, Dr. [Benjamin] Franklin, Mr. [James] Wilson, and Mr. [Thomas] Johnson.

Resolved, That the prisoners taken at Chambly and St. John's, be sent to, and kept in, the towns of Reading, Lancaster, and York, in the colony of Pennsylvania.

That the committee appointed 11th instant, to contract for supplying the Battalion, raised in Pennsylvania, be empowered to distribute the above prisoners in the towns aforesaid, and contract for their support or subsistence.

That the rations of the privates be the same as are allowed the privates in the continental Army.

That Orders issue to the officer who has the charge of conducting the prisoners, to march them by the nearest road to Reading, in the colony of Pennsylvania, and that the Deputy Commissary general be directed to supply them with provisions for their march, agreeable to the rations supplied to the continental Army.

That the said commissary be directed, if the prisoners agree to it, to send the women, children and Baggage by water to Amboy, from thence to be sent across to Bordentown, and from thence by water to Philadelphia, from which last place they will be sent to join the Garrison in the towns allotted them, this being judged the safest, cheapest, and most commodious way of conveying them.

Whereas it is become necessary to appoint another colonel of the regiment of artillery, in the room of Colonel Gridley, on account of his advanced age,

Resolved, That this Congress will indemnify Colonel Gridley for any loss of half pay, which he may sustain in consequence of his having been in the service of the United Colonies.

The Congress then proceeded to the choice of a Colonel of the regiment of Artillery, when

Henry Knox, Esq^r was unanimously elected.

On motion made, *Resolved*, That the commissioned Officers, taken in the forts of Chambly and St. John's, be put on their parole of honour, that they will not go into or near any sea port town, nor further than six miles distant from the respective places of their residence, without leave of the Continental Congress, and that they will carry on no political correspondence whatever, on the subject of the dispute between Great Britain and these Colonies, so long as they remain prisoners.

Whereas the officers taken at fort Chambly, have been permitted by General Schuyler, to make choice of, and to reside in Trenton, in New Jersey, and the dispositions of the prisoners by him made, has been approved by Congress,

Ordered, That a copy of the foregoing resolution be sent to the Committee of Trenton, and that the Committee be desired to get the same signed by the officers there.

Resolved, That the officers taken at St. John's, be sent to Windham and Lebanon, in the Colony of Connecticut, provided General Schuyler has not given his word for another disposition of them.

Resolved, That there be a call of the house on Monday next at 10 o Clock.

The several matters to this day referred postponed to Monday next to which time the Congress adjourned, to 10 o Clock.

MONDAY, NOVEMBER 20, 1775

Sundry letters from General Washington¹ and Governor Trumbull, with sundry letters enclosed, among which sundry intercepted letters from Cork,² were read.

Two petitions, one from Godfried Fehr, the other from Melchior Neff, were ||presented to Congress and|| read.

Capt. John Hulbert, who was sent by General Schuyler to conduct the officers, who were taken prisoners at fort Chambly, to Trenton, attended and made report of his proceedings and the disposal of the prisoners.

On motion made, *Resolved*, That the sum of 16,669 1/3 dollars be put into the hands of Mr. Thomas Lowry, of New Jersey, for the purpose of furnishing the two battalions raised in New Jersey with the articles allowed for bounty, and for one month's pay of said Battalions, he to give security for the disposal of said money, and to render account to Congress.

Ordered, That Mr. R[obert] Morris confer with Mr. Lowry, and receive his proposals with regard to the recompence he will expect for his service.

Resolved, That a Committee be appointed to advertise and receive proposals, and contract for supplying said Battalions with the rations allowed them.

That this be referred to the Committee appointed to contract for supplying the battalion raised in Pensylvania.

The Congress then proceeded to the election of an Adjutant for the battalion raised in the eastern Division of New Jersey, when M^r. Alexander Clough was unanimously elected.

¹ The Washington letter is dated November 11, and is in the *Papers of the Continental Congress*, No. 152, I, folio 279, and is printed in *Writings of Washington* (Ford), III, 213.

² Brought in by Captain Robbins, in the captured schooner *Two Sisters*.

On motion made, *Resolved*, That General Schuyler be directed to make farther search in the place where the lead was found at Crown Point and Ticonderoga, and that as much lead as can be spared be sent immediately to the Camp at Cambridge.

Resolved, That the Secret Committee be empowered to contract for the importation of 100 tons of Lead.

Resolved, That intercepted letters be referred to the Committee of 7, appointed the 17th Instant, in order to select such parts of them as it may be proper to publish, and lay the same before Congress.

The several matters to this day referred postponed till to Morrow.

Adjourned to 10 o'Clock to Morrow.

TUESDAY, NOVEMBER 21, 1775

Mr. [Robert] Morris, who was appointed to confer with Mr. Lowry, having made his report, ||and the same being considered,||

Resolved, That Mr. Lowry be allowed 1 1/4 per cent. in full of all charges, for the money passing through his hands.

The Congress resolved itself into a committee of the whole, to take into their further consideration the trade of the United Colonies and after some time spent therein, the president resumed the chair, and Mr. [Samuel] Ward reported, that the Committee had taken into consideration the matters to them referred, and had come to certain resolutions, which he was ready to report when the Congress will receive them.

Ordered, that the report of the Committee be now received.

The same being read, was ordered to lie on the table.
The Orders of the day being renewed,
Adjourned to 10 o Clock to Morrow morning.

WEDNESDAY, NOVEMBER 22, 1775

The Congress resumed the consideration of the report from the Committee of the whole, which was agreed to as follows:

The Committee of the whole house, to whom were referred the several petitions from the Island of Bermuda, representing the distress to which they were exposed by the non-exportation agreement, and praying to be relieved in such manner as the Congress may deem consistent with the safety of America, report that they have considered the same, and thereupon come to the following resolutions:

That the Inhabitants of the island of Bermuda appear friendly to the cause of America, and ought to be supplied with such and so great a quantity of the produce of these colonies, as may be necessary for their subsistence and home consumption; that, in the opinion of this Committee, they will annually require for the purposes aforesaid, 72,000 bushels of Indian corn, 2,000 barrels of bread or flour, 1,000 barrels of beef or pork, 2,100 bushels of peas or beans, and 300 tierces of rice, and that they be permitted to export the same yearly.

That the said Inhabitants ought to pay for the above annual allowance in salt, but it is not the design of this resolution to exclude them from the privilege of receiving American produce to any amount in exchange for arms, ammunition, salt petre, sulphur, and field pieces, agreeable to a resolution of Congress, passed the 15th of July last.

That, to enable such of these colonies as can conveniently furnish the Island of Bermuda with the abovementioned

tioned annual allowance, to divide whatever advantages may result therefrom, in proportion to their respective shares of the general expence. It is further the opinion of this Committee,

That the Colony of South Carolina supply them with three hundred tierces of rice.

That the Colony of North Carolina supply them with 16,000 Bushels of Indian corn, and 468 bushels of peas or beans.

That the Colony of Virginia supply them with 36,000 Bushels of Indian corn, and 1,050 bushels of peas or beans.

That the Colony of Maryland supply them with 20,000 bushels of Indian corn, and 582 bushels of peas or beans.

That the colony of Pennsylvania supply them with 1,200 barrels of flour or bread, and 600 barrels of beef or pork.

That the Colony of New York supply them with 800 barrels of flour or bread, and 400 barrels of beef or pork.

That the conventions or committees of safety of the above mentioned colonies ought to superintend the said exportation, provide against frauds, and take care that, in exchanging the said commodities of salt and provisions, no undue advantages be taken by either party of their mutual wants, and further, that no vessel employed in this business ought to load without their permission, and that when they shall, in pursuance of these resolutions, permit any of the said vessels to load, they do give notice thereof to the committee of Inspection of the county, city, or town where such vessel shall load, and inform them that the same is done under the authority and by order of this Congress.

That these resolutions ought to be kept as private as the execution of them will admit.

That they should be transmitted to the several conventions, assemblies, or committees of safety of the United

Colonies, and to the island of Bermuda; and that the inhabitants of the latter be informed, that the Congress will afford them other necessaries (such as lumber, soap, and candles) whenever the quality and quantity of each of those articles used in the Island shall be ascertained.

That Edward Stiles be permitted, under the direction of the committee of safety of the colony of Pennsylvania, to send the Brig *Sea Nymph*, Samuel Stobel, Master, with 4,000 bushels of Indian corn, 300 barrels of flour, 100 barrels of bread, 20 barrels of pork, 8 barrels of beef, 30 boxes of soap, and 15 barrels of apples to Bermuda, for the immediate supply of the Inhabitants, and that the said cargo be considered as a part of the annual allowance aforesaid, for the year ensuing.

The Congress resumed the consideration of the report of the committee on Mr. [Volkert P.] Douw's letter, and the minutes of the late treaty at Albany, and after some debate, the same was postponed.

Adjourned to ten o'Clock to Morrow.

THURSDAY, NOVEMBER 23, 1775

On motion made, *Ordered*, That one hundred and twenty Dollars be paid to Captain [John] Hulbert, and charged to account of General Schuyler, and that said Hulbert, after stationing his men at the fortresses on Hudson's River, have leave to be absent ten days.

The Committee for fitting out 4 armed vessels brought in a set of rules for the government of the American Navy, and articles to be signed by the officers and men employed in that service, which were read, and ordered to lie on the table for the perusal of the members.

The Committee of 7 to whom General Washington's letter was referred, brought in their report, which was

read, and ordered to lie on the table for the perusal of the members.

Resolved, That these reports be taken into consideration to Morrow.

~~The Committee of Inspection of the City of Philadelphia laid before Congress information of importance which was read.~~

The Congress then resumed the consideration of the report on Mr. Douw's letter, and the Albany treaty, and after debate, the first paragraph was postponed; the remainder was agreed to as follows:

The Committee to whom it was referred to take into consideration the letter from Volkert P. Douw, Esq^r and the minutes of the treaty held with the Indians at Albany, by the Commissioners for Indian affairs in the northern department, have examined the same, and come to the following resolutions thereupon:

That it is the opinion of this Committee, that the Indians be assured that this Congress are pleased with their desire, that the trade should be opened as formerly at Albany and Schenectady, that the Congress will exert their strenuous endeavours to procure the goods the Indians may want, and put the trade under such wise regulations, as that mutual justice may be effected, and that they hope those endeavours will be successful.

That General Schuyler be desired to furnish the Commissioners at Albany with some powder, if he can spare it, to be distributed among the Indians, who in the present circumstances, are much distressed by the want of that article.

That the Commissioners for transacting Indian Affairs in the northern department, be desired to obtain from the Mohawk Indians, and the corporation of Albany, a state of the controversy between them, concerning the land

desired by the former in the late treaty at Albany, to be restored to them, and report the matter as it shall appear to them, to the Congress.

That the said Commissioners be desired, at the expence of the United Colonies, to provide for and entertain the Sachems or warriors of the Six Nations, and other Indians friendly to these colonies, their attendants and messengers, with the accustomed hospitality when they come to Albany or Schenectady, to treat, or give intelligence of public affairs, or upon a visit, and for this purpose that 750 dollars be lodged in the hands of the said Commissioners, subject to account.

That the said Commissioners be directed to employ two blacksmiths for reasonable salaries, to reside among and work for the Indians of the Six Nations.

That the said commissioners be empowered to employ an interpreter, with a salary of 222 $\frac{1}{5}$ dollars by the year, commencing the 12th day of this month, who shall also be allowed his travelling expences to be settled by the Commissioners, and James Deane, if they judge him well qualified, is recommended to execute this office.

That 23 dollars be paid James Deane over and above the 75 dollars advanced him by the Commissioners for his past services.

On motion made, *Resolved*, That three members be added to the foregoing committee to compose a committee for devising a plan for carrying on a trade with the Indians, and ways and means for procuring goods proper for that trade.

The members added, Mr. [James] Wilson, Mr. [Silas] Deane, and Mr. [Francis] Lewis.

Whereas Major [Joseph] Hawley, from the situation of his private affairs, cannot attend the business of a

Commissioner for Indian affairs, and having by his letter desired to be excused from that service,

Resolved, That to Morrow be assigned for electing a commissioner for Indian Affairs in the northern department, in the room of Mr. Hawley.

Information being given, that certain frauds have been attempted in executing contracts for the Continent,

Resolved, That a Committee of 5 be appointed to enquire into this matter.

The members chosen, Mr. [Roger] Sherman, Mr. [Thomas] Lynch, Mr. [Thomas] Johnson, Colonel [Richard Henry] Lee, and Mr. S[amuel] Adams.

Application being made by Mr. [John] Jay, in behalf of Lieutenant Hamar, now at Trenton, for leave to reside with Mr. [William] Duer, near Saratoga, the same was granted, he to be upon the same parole as heretofore, with this variation, not to go farther than 12 miles distant from the place now assigned him.

Application being also made in behalf of Lieutenant Symes, a prisoner now in the gaol of this city, for leave to reside at Trenton, on the same parole as the other officers there. The same was granted.

Information being given by the committee of inspection of this city, that sundry persons in this city have refused to receive in payment or give a currency to the bills issued by order of this Congress, and also to those emitted by the Assembly of this province,¹

Resolved, That the same be referred to a committee of 7 who are to take the same into Consideration, and make report thereon to Congress.

The members chosen, Mr. [John] Jay, Dr. [Benjamin] Franklin, Mr. S[amuel] Adams, Mr. [Thomas] Johnson,

¹ The original is in *Papers of the Continental Congress*, No. 69, I, folio 25.

Mr. [George] Wythe, Mr. E[dward] Rutledge, and Mr. [Thomas] Jefferson.

The several matters to this day referred, being postponed,

Adjourned to ten o'Clock to Morrow.

FRIDAY, NOVEMBER 24, 1775

On motion made, *Resolved*, That despatches be sent ||to the colony agents in England,|| by Mr. Morris's vessel, which will be ready to sail on Monday next.

The committee to whom the intercepted letters were referred, brought in their report, which being read and agreed to,

Resolved, That it be recommitted to the same Committee, and that they have the extracts agreed to published,¹ together with an authentic account of the capture of Chambly and St. John's, and to have 1000 copies struck off to go with the dispatches.

That the said committee prepare a letter to the ||colony|| agents to go by Mr. Morris's vessel.

The Congress proceeded to the choice of an Indian Commissioner, in the room of Major Hawley, ||and the ballots being taken and examined,||

Timothy Edwards, Esq^r was unanimously elected.

On motion made, *Resolved*, That a committee of 3 be appointed to take into consideration the state of North Carolina, and report to Congress what in their opinion is necessary to be done for its safety and security.

The members chosen, Mr. E[dward] Rutledge, Mr. [Thomas] Jefferson, and Mr. [William] Paca.

The Congress then resumed the consideration of the ~~rules of the navy &c., which being again read and debated~~

¹ Printed in the *Pennsylvania Packet*, 27 November, 1775.

~~were agreed to as follows:~~ report of the Committee on General Washington's letter, and the same, being again read and after being debated, referred till to Morrow.

A petition from Downham Newton, was presented and read.

Resolved, That the same be committed to a committee of three.

The members chosen, Mr. [Thomas] Jefferson, Mr. [Andrew] Allen, and Mr. [John] Jay.

On motion made, *Resolved*, That the treasurers pay such sums of money as the committee for promoting the manufacture of salt petre shall draw orders upon, or apply to them for, not exceeding one thousand dollars, to be accounted for by said committee.

That in case the Committee for promoting the manufacture of salt petre, cannot procure persons to go to Virginia for that purpose, it be recommended to the gentlemen, who are desired and empowered to superintend and forward the work in that colony, to employ any skilful managers they can meet with, to undertake it.

A petition from Captain Dugal McGregor, was presented and read.

Resolved, That the same ||be referred to|| the committee of 3 above appointed ||to whom Downham Newton's petition is referred.||

The Committee on ||the state of|| the treasury, brought in their report, which was read, and ordered to be taken into consideration to Morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'Clock to Morrow.

SATURDAY, NOVEMBER 25, 1775

The Congress proceeded to the election of field officers for the Battalion raising in Pennsylvania, when ||the ballots being taken and examined:||

John Bull, Esq^r was elected Colonel.

James Irvine, Esq^r lieutenant Colonel.

Anthony James Morris, Esq. Major.

Resolved, That Monday next be assigned for the appointment of an Adjutant and Quarter Master for the 2^d Battalion, raised in New Jersey, and an adjutant and quarter master for the Battalion raised in Pennsylvania.

Resolved, That Tuesday be assigned for the consideration of the memorials of the Teaholders ||in New York and Philadelphia.||

The Committee of Claims reported, that there is due to John Hinchman, for provisions furnished to several rifle Companies, the sum of £24.8.10=65.2 Dollars.

Christopher Hayne, for Kettles and canteens, furnished to Captain Stevenson and Captain Ross's companies, the sum of £13.8.4=35.8 dollars, which ought to be paid to Gibson and Aston.

Richard Bache, Deputy post master, for sundry post-ages, from the 14th of October, to 8th November, 1775, inclusive, of £11.13.3=31.1 dollars.

Thomas Dewees, for dieting the crew of the ship *Rebecca and Frances*, the sum of £16.13=44.4 dollars.

Levi Hollingsworth, for expences of himself and three others, to Ticonderoga and back again, (who took with them a sum of money for the general) [Schuyler,] the sum of £48.6.8=128 dollars.

Andrew Bunker, for Blankets and Kettles, furnished Captain Stevenson's company by Anthony Noble, £15.11.6=41.4 dollars.

Doctor Franklin, for the expences of Mr. [Benjamin] Harrison, Mr. [Thomas] Lynch, and himself, on their journey to the camp at Cambridge, including carriage hire, &c. the sum of £218.4.0=581.9 dollars, and for other monies paid by him for the continental service, including £7.10 [=20 dollars] advanced to Christopher Madeira, and to be charged to him the sum of £27.5=72.7 dollars.

John Sterret, for goods furnished by Joseph Holmes to Captain Morgan's Company, to be charged to said company, the sum of £20.19.6=55.9 Dollars.

William West, for goods furnished by John Holmes to Captain Cluggage's company, the sum of £105.10 [=281.3 dollars,] of which sum, £13.3.6 [=35 12/90 dollars] being for blankets is to be charged to the Continent, and the remainder to Captain Cluggage's company.

Ordered, That the above accounts be paid.

The Congress resumed the report of the Committee on General Washington's letter, and the same being debated by paragraphs, was agreed to as follows:

The Committee to whom so much of the letter from General Washington to the president ~~of the Congress~~ dated the 8th Instant as relates to the disposal of the vessels and cargoes belonging to the enemy, which shall fall into the hands of or be taken by the inhabitants of the united colonies and so much of the report of the committee of Congress, which lately went to the Camp at Cambridge as related to that subject, were referred, have examined the matter thereof and directed the same, as it appears to them, together with the resolutions of the Committee thereupon to be reported as followeth.

Whereas, it appears to your Committee from undoubted information, that many vessels which had cleared at the respective custom houses in these colonies, agreeable to

the regulations established by acts of the British parliament, have in a lawless manner, without even the semblance of just authority, been seized by his majesty's ships of war, and carried into the harbour of Boston and other ports, where they have been rifled of their cargoes, by orders of his majesty's naval and military officers, there commanding, without the said vessels having been proceeded against by any form of trial, and without the charge of having offended against any law.

It further appears to your Committee that orders have been issued in his majesty's name, to the commanders of his ships of war, "to proceed as in the case of actual rebellion against such of the sea port towns and places being accessible to the king's ships, in which any troops shall be raised or military works erected," under colour of which said orders, the commanders of his majesty's said ships of war, have already burned and destroyed the flourishing and populous town of Falmouth, and have fired upon and much injured several other towns within the United Colonies, and dispersed at a late season of the year, hundreds of helpless women and children, with a savage hope that those may perish under the approaching rigours of the season, who may chance to escape destruction from fire and sword, a mode of warfare long exploded amongst civilized nations.

It also appears to your Committee, that the good people of these colonies, sensibly affected by the destruction of their property, and other unprovoked injuries, have at last determined to prevent as much as possible a repetition thereof, and to procure some reparation for the same, by fitting out armed vessels and ships of force. In the execution of which commendable designs, it is possible that those who have not been instrumental in the unwar-

rantable violences abovementioned may suffer, unless some laws be made to regulate, and tribunals erected competent to determine the propriety of captures: Thereupon your Committee came to the following resolutions:

1. That all such ships of war, frigates, sloops, cutters, and armed vessels as are or shall be employed in the present cruel and unjust war against the United Colonies, and shall fall into the hands of, or be taken by the inhabitants thereof, be seized and forfeited to, and for the purposes hereinafter mentioned.

2. That all transport vessels in the same service, having on board any troops, arms, ammunition, cloathing, provisions, or military or naval stores, of what kind soever, and all vessels to whomsoever belonging, that shall be employed in carrying provisions or other necessaries to the British army or armies, or navy, that now are or shall hereafter be within any of the United Colonies, shall be liable to seizure, but that the said cargoes only be liable to forfeiture and confiscation, unless the said vessels so employed belong to an inhabitant or inhabitants of these United Colonies; in which case the said vessel or vessels, together with her or their cargo, shall be liable to confiscation.¹

3. That no master or commander of any vessel shall be intitled to cruize for, or make prize of any vessel or cargo before he shall have obtained a commission from the Congress, or from such person or persons as shall be for that purpose appointed in some one of the United Colonies.

4. That it be and is hereby recommended to the several legislatures in the United Colonies, as soon as possible, to erect courts of Justice, or give jurisdiction to the courts now in being for the purpose of determining concerning

¹ This paragraph was modified by a resolution of December 19, 1775.

the captures to be made as aforesaid, and to provide that all trials in such case be had by a jury under such qualifications, as to the respective legislatures shall seem expedient.

5. That all prosecutions shall be commenced in the court of that colony in which the captures shall be made, but if no such court be at that time erected in the said colony, or if the capture be made on open sea, then the prosecution shall be in the court of such colony as the captor may find most convenient, provided that nothing contained in this resolution shall be construed so as to enable the captor to remove his prize from any colony competent to determine concerning the seizure, after he shall have carried the vessel so seized within any harbour of the same.

6. That in all cases an appeal shall be allowed to the Congress, or such person or persons as they shall appoint for the trial of appeals, provided the appeal be demanded within five days after definitive sentence, and such appeal be lodged with the secretary of Congress within forty days afterwards, and provided the party appealing shall give security to prosecute the said appeal to effect, and in case of the death of the secretary during the recess of Congress, then the said appeal to be lodged in Congress within 20 days after the meeting thereof.

7. That when any vessel or vessels shall be fitted out at the expence of any private person or persons, then the captures made shall be to the use of the owner or owners of the said vessel or vessels; that where the vessels employed in the capture shall be fitted out at the expence of any of the United Colonies, then one-third of the prize taken shall be to the use of the captors, and the remaining two-thirds to the use of the said colony, and where

the vessels so employed shall be fitted out at the continental charge, then one-third shall go to the captors, and the remaining two-thirds to the use of the United Colonies; provided, nevertheless, that if the capture be a vessel of war, then the captors shall be intitled to one-half of the value, and the remainder shall go to the colony or continent as the case may be, the necessary charges of condemnation of all prizes, being deducted before any distribution made.

8. That the captures heretofore made by vessels fitted out at the continental charge were justifiable, and that the distribution of the captor's share of the prizes by General Washington, be confirmed, which is as follows:

That the share allowed to the captors be divided among the officers and men in the following proportions, viz:

Captain or commander,	6 shares.	Mate,	1½ shares.
First lieutenant,	5 do.	Gunner,	1½ do.
Second lieutenant,	4 do.	Boatswain,	1½ do.
Surgeon,	4 do.	Gunner's mate, and serjeant,	1½ do.
Master,	3 do.	Privates, each,	1 do.
Steward,	2 do.		

~~Resolved, That the committee, who brought in the foregoing report, after consulting the books, report whether any and what addition, in their opinion, may be made to the second resolution.~~

Resolved, That that part of General Washington's letter No 7 ||of the 11th instant,|| respecting the capture of a vessel by the Inhabitants of New Hampshire, be referred to the said committee, and that they report thereon to Congress.

The Congress then took into consideration the rules for the American Navy, &c., but not having time to finish them,

Resolved, That the farther consideration thereof be postponed till Monday next.

The orders of the day being renewed,
Adjourned to ten o'Clock on Monday.¹

MONDAY, NOVEMBER 27, 1775

A report prevailing that young Mr. Skene, ||who was a prisoner in Connecticut,||² has made his escape from Hartford,

On Motion made, *Resolved*, That a Committee be appointed to enquire into the truth of that report.

That the Delegates of Connecticut be a Committee for the purpose expressed in the foregoing resolution.

On Motion made, *Resolved*, That orders issue to Lord Sterling to collect the troops raised in New Jersey (except the six companies ordered to the fortresses on Hudson's River) and to place them in barracks in the eastern division of New Jersey, as contiguous to New York as may be, there to remain till farther orders from Congress.

Resolved, That a letter be written to the Convention of New York, requesting them to use their utmost endeavours to furnish the troops raised in New Jersey for the defence of New York, with as many arms as they can spare.

The Congress then proceed[ed] to the choice of officers ||of an adjutant and quartermaster for the battalion raised in the western division of New Jersey, when||

Mr. Ephraim Anderson was elected adjutant, and Mr. Buddel Shinn, quartermaster of the battalion raised in the western division of New Jersey.

¹ "I am really engaged in constant business from seven to ten in the morning in committee, from ten to four in Congress, and from six to ten again in committee. Our assembly is scarcely numerous enough for the business; everybody is engaged, all day in Congress, and all the morning and evening in committees." *John Adams to Mrs. Mercy Warren*, 25 November, 1775.

² It was John Philip Skene.

On motion made, *Resolved*, That the troops in the service of the Continent be supplied with fuel and bedding at the expence of the Continent.

Resolved, That an Order be drawn on the treasurers, for the sum of 3,000 Dollars, in favour of the committee of safety for Pennsylvania, to be applied towards the pay of the battalion raised in Pennsylvania. The said committee to be accountable for the expenditure of said sum.

A letter from General Washington 19th November, enclosing a copy of a letter from Colonel Arnold, 27th October, was read.¹

The Congress resumed the Consideration of the report of the Committee on the disputes between ||the people of|| Connecticut and Pennsylvania, and after debate,

Resolved, That the same be recommitted, and that it be an instruction to the Committee to hear evidence on the possession and jurisdiction ||of the lands in dispute,|| and reduce to writing such parts of the evidence adduced to them as they shall think proper and lay the same before Congress.

As three of the Committee are absent, viz. Mr. J[ohn] Rutledge, Mr. [Samuel] Chase, and Mr. [James] Kinsey,

Resolved, That 3 members be added in their room.

The members chosen, [George] Wythe, Mr. [John] Jay, and Mr. [William] Hooper.

The Committee on the state of North Carolina brought in their report, which was read.

The several matters to this day referred, being postponed, Adjourned to ten o'Clock to Morrow.

¹ This letter is in the *Papers of the Continental Congress*, No. 152, I, folio 283, and is printed in *Writings of George Washington* (Ford), III, 225. The copy of Arnold's letter is with it.

TUESDAY, NOVEMBER 28, 1775

On motion made, *Ordered*, That Mr. R[obert] Morris call on the several persons appointed to sign the Continental bills, and desire them, with all possible expedition, to finish the numbering and signing said bills, as the Money is much wanted.

The Congress resumed the consideration of the rules for the regulation of the Navy of the United Colonies, and the same being debated by paragraphs, were agreed to as follows:

Rules for the Regulation of the Navy of the United Colonies

The Commanders of all ships and vessels belonging to the thirteen United Colonies, are strictly required to shew in themselves a good example of honor and virtue to their officers and men, and to be very vigilant in inspecting the behaviour of all such as are under them, and to discountenance and suppress all dissolute, immoral, and disorderly practices, and also such as are contrary to the rules of discipline and obedience, and to correct those who are guilty of the same, according to the usage of the sea.

The Commanders of the ships of the thirteen United Colonies, are to take care that divine service be performed twice a day on board, and a sermon preached on Sundays, unless bad weather or other extraordinary accidents prevent it.

If any shall be heard to swear, curse, or blaspheme the name of God, the Commander is strictly enjoined to punish them for every offence, by causing them to wear a wooden collar, or some other shameful badge of distinction, for so long time as he shall judge proper. If he be a commissioned officer, he shall forfeit one shilling for each offence, and a warrant or inferior officer six pence. He who is guilty of drunkenness, if a seaman, shall be put in irons until he is sober, but if an officer, he shall forfeit two days' pay.

No Commander shall inflict any punishment upon a seaman beyond twelve lashes upon his bare back, with a cat of nine tails; if the fault shall deserve a greater punishment, he is to apply to the Commander in chief of the Navy, in order to the trying of him by a court martial, and in the mean time, he may put him under confinement.

The Commander is never by his own authority to discharge a commission or warrant officer, nor to punish or strike him, but he may suspend or confine them, and when he comes in the way of a Commander in chief, apply to him for holding a court martial.

The Officer who commands by accident of the Captain's [or commander's] absence (unless he be absent for a time by leave) shall not order any correction, but confinement, and upon the captain's return on board, he shall then give an account of his reasons for so doing.

The Captain is to cause the articles of war to be hung up in some public places of the ship, and read to the ship's company once a month.

Whenever a Captain shall inlist a seaman, he shall take care to enter on his books the time and terms of his entering, in order to his being justly paid.

The Captain shall, before he sails, make return to, and leave with the Congress, or such person or persons as the Congress shall appoint for that purpose, a compleat list of all his officers and men, with the time and terms of their entering; and during his cruize shall keep a true account of the desertion or death of any of them, and of the entering of others, and after his cruize, and before any of them are paid off, he shall make return of a compleat list of the same, including those who shall remain on board his ship.

The men shall, at their request, be furnished with slops that are necessary by the Captain or purser, who shall keep an account of the same, and the Captain, in his return in the last mentioned article directed to be made, shall mention the amount delivered to each man, in order to its being stopped out of his pay.

As to the term "inferior Officer," the Captain is to take notice that the same does not include any commission or any warrant officer, except the second master, surgeon's mate, cook, armourer, gun-smith, master at arms, and sail maker.

The Captain is to take care when any inferior officers or volunteer seamen are turned over into the ship under his command from any other ship, not to rate them on the ship's books in a worse quality, or lower degree or station, than they served in the ship they were removed from; and for his guidance he is to demand from the commander of the ship from which they are turned over, a list, under his hand, of their names and qualities.

Any officer, seaman, or others, intitled to wages or prize money, may have the same paid to his assignee, provided the assignment be

attested by the Captain or Commander, the master or purser of the ship, or a chief magistrate of some county or corporation.

The Captain is to discourage the seamen of his ship from selling any part of their wages or shares, and never to attest the letter of attorney of any seaman, until he is fully satisfied that the same is not granted in consideration of money given for the purchase of his wages or shares.

When any inferior officer or seaman dies, the Captain is forthwith to make out a ticket for the time of his service, and send the same by the first safe conveyance to the Congress, or agents by them for that purpose appointed, in order to the wages being forthwith paid to the executors or administrators of the deceased.

A convenient place shall be set apart for sick or hurt men, to which they are to be removed, with their hammocks and bedding, when the surgeon shall advise the same to be necessary, and some of the crew shall be appointed to attend and serve them, and to keep the place clean.

The cooper shall make buckets with covers and cradles, if necessary, for their use.

All ships furnished with fishing tackle, being in such places where fish is to be had, the Captain is to employ some of the company in fishing; the fish to be distributed daily to such persons as are sick or upon recovery, provided the surgeon recommend it, and the surplus, by turns amongst the messes of the officers and seamen, without favour or partiality and gratis, without any deduction of their allowance of provisions on that account.

It is left to the discretion of Commanders of squadrons, to shorten the allowance of provisions according to the exigence of the service, taking care that the men be punctually paid for the same.

The like power is given to Captains of single ships in cases of absolute necessity.

If there shall be a want of pork, the Captain is to order three pounds of beef to be issued to the men, in lieu of two pounds of pork.

One day in every week shall be issued out a proportion of flour and suet, in lieu of beef, for the seamen, but this is not to extend beyond four months' victualling at one time, nor shall the purser receive any allowance for flour or suet kept longer on board than that time, and there shall be supplied, once a year, a proportion of canvass for pudding-bags, after the rate of one ell for every sixteen men.

If any ships of the thirteen United Colonies, shall happen to come

into port in want of provisions, the warrant of a Commander in chief shall be sufficient to the Agent or other instrument of the victualling, to supply the quantity wanted, and in urgent cases where delay may be hurtful, the warrant of the Captain of the ship shall be of equal effect.

The Captain is frequently to order the proper officers to inspect into the condition of the provisions, and if the bread proves damp, to have it aired upon the quarter deck or poop, and also examine the flesh casks, and if any of the pickle be leaked out, to have new made and put in, and the casks made tight and secure.

The Captain or purser shall secure the cloaths, bedding, and other things of such persons as shall die or be killed, to be delivered to their executors or administrators.

All papers, charter parties, bills of lading, passports, and other writings whatsoever, found on board any ship or ships, which shall be taken, shall be carefully preserved, and the originals sent to the court of Justice for maritime affairs, appointed or to be appointed by the legislatures in the respective colonies, for judging concerning such prize or prizes; and if any person or persons shall wilfully or negligently destroy or suffer to be destroyed, any such paper or papers, he or they so offending, shall forfeit their share of such prize or prizes, and suffer such other punishment, as they shall be judged by a court-martial to deserve.

If any person or persons shall embezzle, steal, or take away any cables, anchors, sails, or any of the ship's furniture, or any of the powder, arms, ammunition, or provisions of any ship belonging to the thirteen United Colonies, he or they shall suffer such punishment as a court-martial shall order.

When in sight of a ship or ships of the enemy, and at such other times as may appear to make it necessary to prepare for an engagement, the Captain shall order all things in his ship in a proper posture for fight, and shall, in his own person, and according to his duty, heart on and encourage the inferior officers and men to fight courageously, and not to behave themselves faintly or cry for quarters, on pain of such punishment as the offence shall appear to deserve for his neglect.

Any Captain or other officer, mariner, or others, who shall basely desert their duty or station in the ship, and run away while the enemy is in sight, or, in time of action, or shall entice others to do so, shall suffer death, or such other punishment as a court-martial shall inflict.

Any officer, seaman, or marine, who shall begin, excite, cause, or

join in any mutiny or sedition in the ship to which he belongs, on any pretence whatsoever, shall suffer death, or such other punishment as a court-martial shall direct. Any person in or belonging to the ship, who shall utter any words of sedition and mutiny, or endeavour to make any mutinous assemblies on any pretence whatsoever, shall suffer such punishment as a court-martial shall inflict.

None shall presume to quarrel with or strike his superior officer, on pain of such punishment as a court-martial shall order to be inflicted.

If any person shall apprehend he has just cause of complaint, he shall quietly and decently make the same known to his superior officer, or to the captain, as the case may require, who will take care that justice be done him.

There shall be no quarrelling or fighting between shipmates on board any ship belonging to the thirteen United Colonies, nor shall there be used any reproachful or provoking speeches, tending to make quarrels and disturbance, on pain of imprisonment, and such other punishment, as a court-martial shall think proper to inflict.

If any person shall sleep upon his watch, or negligently perform the duty which shall be enjoined him to do, or forsake his station, he shall suffer such punishment as a court-martial shall judge proper to inflict, according to the nature of his offence.

All murder shall be punished with death.

All robbery and theft shall be punished at the discretion of a court-martial.

Any master at arms who shall refuse to receive such prisoner or prisoners, as shall be committed to his charge, or having received them, shall suffer him or them to escape, or dismiss them without orders for so doing, shall suffer in his or their stead, as a court-martial shall order and direct.

The Captain, officer, and others, shall use their utmost endeavours to detect, apprehend, and bring to punishment, all offenders, and shall at all times readily assist the officers appointed for that purpose in the discharge of their duty, on pain of being proceeded against, and punished by a court-martial at discretion.

All other faults, disorders, and misdemeanors, which shall be committed on board any ship belonging to the thirteen United Colonies, and which are not herein mentioned, shall be punished according to the laws and customs in such cases at sea.

A court-martial shall consist of at least three Captains and three first lieutenants, with three Captains and three first lieutenants of Marines,

if there shall be so many of the Marines then present, and the eldest Captain shall preside.

All sea officers of the same denomination shall take rank of the officers of the marines.

Every Member of a court-martial shall take the following oath, viz:

“You swear that you will well and truly try, and impartially determine the cause of the prisoner now to be tried, according to the rules of the Navy of the United Colonies. So help you God:” which oath shall be administered by the president to the other members, and the president shall himself be sworn by the officer in said court next in rank.

All witnesses, before they may be admitted to give evidence, shall take the following oath:

“You swear the evidence you shall give, in the cause now in hearing, shall be the truth, the whole truth, and nothing but the truth. So help you God.”

The sentence of a court-martial for any capital offence, shall not be put in execution, until it be confirmed by the Commander in chief of the fleet; and it shall be the duty of the president of every court-martial, to transmit to the Commander in chief of the fleet, every sentence which shall be given, with a summary of the evidence and proceedings thereon, by the first opportunity.

The Commander in chief of the fleet, for the time being, shall have power to pardon and remit any sentence of death, that shall be given in consequence of any of the afore mentioned Articles.

There shall be allowed to each man serving on board the ships in the service of the thirteen United Colonies, a daily proportion of provisions, according as is expressed in the following table, viz.

Sunday, 1 lb. bread, 1 lb. beef, 1 lb. potatoes or turnips.

Monday, 1 lb. bread, 1 lb. pork, 1/2 pint peas, and four oz. cheese.

Tuesday, 1 lb. bread, 1 lb. beef, 1 lb. potatoes or turnips, and pudding.

Wednesday, 1 lb. bread, two oz. butter, four oz. cheese, and 1/2 pint of rice.

Thursday, 1 lb. bread, 1 lb. pork, and 1/2 pint of peas.

Friday, 1 lb. bread, 1 lb. beef, 1 lb. potatoes or turnips, and pudding.

Saturday, 1 lb. bread, 1 lb. pork, 1/2 pint peas, and four oz. cheese.

Half pint of rum per man every day, and discretionary allowance on extra duty, and in time of engagement.

A pint and half of vinegar for six men per week.

The pay of the officers and men shall be as follows:¹

Captain or commander,	32	dollars,		Cooper,	15	dollars,	
Lieutenants,	20	do.		Captain's or Command-			
Master,	20	do.		er's clerk,	15	do.	
Mates,	15	do.		Steward,	13 1/3	do.	
Boatswain,	15	do.		Chaplain,	20	do.	
Boatswain's first mate,	9 1/3	do.		Able seaman,	6 2/3	do.	
Ditto, second ditto,	8	do.		Captain of marines,	26 2/3	do.	
Gunner,	15	do.		Lieutenants,	18	do.	
Ditto mate,	10 2/3	do.		Serjeants,	8	do.	
Surgeon,	21 1/3	do.		Corporals,	7 1/3	do.	
Surgeon's mate,	13 1/3	do.		Fifer,	7 1/3	do.	
Carpenter,	15	do.		Drummer,	7 1/3	do.	
Carpenter's mate,	10 2/3	do.		Privates or marines,	6 2/3	do.	

ORDERS OF CONGRESS

We, whose hands and marks are hereunto set and subscribed, being officers, seamen, and marines, do, and each of us doth agree to and with _____ of the good ship, called the _____ belonging to the thirteen United Colonies of North America, now bound on a cruize from the port of _____ against the enemies of the thirteen United Colonies of North America, in manner and form following, that is to say:

In the first place, we do hereby agree for, by and under the considerations aftermentioned, to and with the said commander, forthwith to enter and ship ourselves, and in due and seasonable time, to repair on board the said ship, called the _____, and during the term of _____ months, to the utmost of our power and ability respectively, to discharge our several services or stations, and in every thing to be conformable and obedient to the several requirings and lawful commands of the said _____ and his successors, in command.

Secondly, We do also oblige and subject ourselves to serve on board the said ship during the said cruize, and as she is a ship of war, we do severally oblige ourselves by these Articles, to comply with, and be subject to the rules and discipline of the American fleet, as established by the Congress, and to be governed and commanded in time of action with an enemy, according to the same rules, and submit ourselves to the same punishments and penalties as are there inflicted, in case we

¹ See 13th and 19th of December, 1775.

or any of us offer to desert our quarters, or not obey the commands of the said or his successors in command, in giving chase to any ship or ships, vessel or vessels, or otherwise, and if upon a scrutiny of our said or his said officers, we or any of us should be found guilty of any breach contrary to the tenor of this agreement, or any act of cowardice, we do hereby severally submit and agree to allow and forfeit our several and respective shares of and in any prize or prizes, we shall then have taken, to be divided amongst the said ship's company.

Thirdly, We do also severally agree and oblige ourselves, that when any prize or prizes have been taken, to follow the express directions of the said or his successors, in boarding the said prize, and be under the command of any officer whom the said shall appoint, and be assisting to him to carry the said prize to whatever port or ports such prize or prizes shall be assigned by the said .

And we do hereby further severally agree and covenant in that case, to be true and faithful in discharge of our duty and trust, and will not, in any shape, embezzle, defraud, or plunder any thing on board such prize or prizes; and in case any or either of us shall be found guilty of any breach contrary to the true meaning of this agreement, we, and such of us being guilty thereof, do hereby severally submit and agree to allow so much of all and every of our shares, and parts of our shares of and in the said prize or prizes then or thence after to be taken, and of all our respective wages, that then shall be due and coming to us, in respect to our services, as shall make good such plunder or embezzlement, we shall have been found guilty of.

Fourthly, And it is also further agreed to be the true intent and meaning of all parties hereto, that the officer or officers, or any of the ship's company sent on board any prize, shall have as good a share and interest of any prize that shall be thereafter taken, during his or their absence, as if he or they had been on board the said vessel, at the time of taking thereof, any thing herein contained to the contrary notwithstanding. Provided always, and it is hereby agreed to be the meaning of the said last above mentioned clause, that if the said officer or officers, and such of the said ship's company, to whom the conduct and management of any prize has been entrusted, do not (first having accepted the commands of the said commander concerning the said prize under his or their custody) immediately repair to the respective port or harbour where the said or his successors in

command shall order, or do not proceed with the said prize or prizes so taken, to the respective port or ports to be assigned by the said
 for the time being, that then, and in failure of any or either of the agreements aforesaid, contained on our parts, we and each and every of us so offending, do hereby severally submit and agree to be cashiered, not only for our several and respective interests and shares of and in the captures of prize-money, but totally to be excluded and divested from the payment of any wages then due to us, for and in respect of our several services on board the said ship and the interest and shares of such delinquents, that otherwise would have accrued to us.

Fifthly, And the said for and in behalf of himself and the said thirteen United Colonies of North America, doth hereby covenant and agree to and with the said officers, seamen, and marines, whose names or marks are hereto set or subscribed, to pay them in consideration of such services, so much money per month, as in a schedule here-under mentioned, is set opposite to their names or marks of each respective officer, seaman, or landsman; and likewise to advance unto each and every of them, one month's pay at entrance, (due security for the same being first given) the receipt whereof they do hereby acknowledge.

Sixthly, And as an encouragement to exert the valour of the seamen and marines in defending the said ship, and in subduing and distressing the said enemy, the said for and on behalf of the said thirteen United Colonies of North America, doth further covenant, promise, and agree to and with all and every the officers, seamen and marines, parties hereto, that in case any prize or prizes shall be taken by the said ship, during the intended cruize, that the same shall be proceeded against, and distributed according to the resolutions of the Congress, ~~passed the 25th day of November, 1776.~~

Seventhly, And it is by these presents mutually agreed and consented to, by, and between the said and every the officers, seamen, and marines, parties thereto, that in case the Commander, for the time being, lose a limb, in an engagement, or be otherwise disabled, so as to be rendered incapable afterwards of getting a livelihood to subsist upon, he shall receive out of the nett profits of such prize or prizes, and prize-goods, if so much arise, before a dividend or distribution be declared, the sum of four hundred dollars; or if he lose his life, his widow or children (if any) shall receive the said bounty of four hundred dollars, together with all prize money to him belonging

at the time of his decease. And if the Captain of the marines, or any other commission or warrant Officer lose a limb, or be otherwise disabled, so as to be rendered incapable afterwards of getting a subsistence, he or they so disabled, shall receive a bounty of three hundred dollars, if so much arise from the nett profits as aforesaid; and in case of death, the widow or children, (if any) is, and shall be intitled to the same, together with their share of prize money due at the time of their decease. And if an inferior officer, marine, or sailor, lose a limb, or be otherwise disabled, so as to be rendered incapable afterwards of getting a subsistence, he or they shall receive a bounty of 200 dollars, to be deducted as aforesaid; and in case of death, his widow or children, (if any) is, are, and shall be entitled to the same, together with his share of prize money due at the time of his decease.

He who first discovers a ship or other vessel which shall afterwards become a prize, shall be entitled to a double share of such prize.

There shall be ten shares of every prize, which shall be taken and condemned, set apart to be given to such inferior officers, seamen and marines, as shall be adjudged best to deserve them by the superior officers, who shall be appointed to make such determination.

He who shall first board a ship or other vessel, making resistance, which shall become a prize, shall be entitled to a triple share.

Provided always, and it is hereby declared to be the true intent and meaning of the parties to the aforementioned orders and articles, that any of the officers, seamen, and marines, shall be liable to be removed by the Congress or committee of the Congress, during the recess thereof, or by the Commander in chief of the American fleet, for the time being, from the aforesaid vessel to any other armed vessel in the service of the United Colonies, any thing contained in the foregoing orders and articles notwithstanding.

The Congress then took into consideration the report of the Committee on North Carolina, which being read and debated by paragraphs, the Congress came to the following resolutions:

Resolved, That the two battalions which the Congress directed to be raised in the province of North Carolina, be increased to the continental establishment, and kept in pay at the expence of the United Colonies for one year from this time, or until the further order of Congress, as

well for the purpose of defending the good people of that colony against the attacks of ministerial oppression, as assisting the adjacent colonies.

That application be made to the councils of safety of the provinces of Pennsylvania and South Carolina, for so much gun powder as can be spared for the immediate supply of North Carolina.

Resolved, That the delegates of the colony of North Carolina be directed to purchase a number of drums, fifes and colours, suitable to the said battalions, and that the president be directed to draw on the continental treasurers for a sum not exceeding three hundred Dollars for the payment thereof.

That the convention or committee of safety of North Carolina be desired to employ, immediately, all the gunsmiths in that colony, in the making of Musquets and bayonets, of the size and in the manner recommended by Congress the 4th of this Instant November.

That two Ministers of the Gospel be applied to, to go immediately amongst the regulators and highlanders in the colony of North Carolina, for the purpose of informing them of the nature of the present dispute between Great Britain and the colonies; that the gentlemen to be employed be allowed each forty dollars a month for their services, and that the delegates of the said colony be empowered to apply to and procure persons proper for this business.

That it be recommended to the convention or committee of safety of North Carolina, in case the method of defending the said colony by minute men be inadequate to the purpose, to substitute such other mode as to them shall appear most likely to effect the security of that Colony.

Agreeable to the order of the day, the Congress took into consideration the report of the Committee on the

memorials of the tea holders, and the same being read and debated, on the question put to agree to it, carried in the negative.

||The several matters to this day referred, being postponed,

Adjourned to ten o'clock to Morrow.||

WEDNESDAY, NOVEMBER 29, 1775

An express arriving with a letter from General Schuyler, containing an account of the continental troops, under [Brigadier] General Montgomery, having taken possession of Montreal on the 12th Inst., which was read.¹

The Committee to whom was referred the petition of Downham Newton, of the Island of New Providence, setting forth the distress of the inhabitants of that island, and offering, if the Congress will permit him, to export 1,000 barrels of flour for the said distressed inhabitants, he will give any reasonable security to bring back such a quantity of muskets as can be procured for the money arising from the sale of the said cargo, brought in their report, which being taken into consideration, was agreed to as follows:

The Committee to whom the petition of Downham Newton was referred, have had the same under their consideration, and come to the following resolutions:

Resolved, That the said Downham Newton should be permitted to export on board his vessel, on the terms proposed in his petition, such provisions of flour and pork as he shall think proper.

Resolved, That the said Downham Newton should give bond with two sufficient sureties in a penalty equal to double the value of the cargo which shall be laden on

¹ This letter, dated November 18, is in *Papers of the Continental Congress*, No. 153, I, folio 294. The articles of capitulation were issued by Congress as a broadside.

board the said vessel, the condition of which bond shall be that the said Downham Newton shall on or before the 15th day of February next import into the port of Newbern in the province of N Carolina and then and there deliver to the commanding officer of the continental troops in that [province] good musquets and bayonets or gunpowder to the full amount of the proceeds of such cargo and that on giving such bond he shall receive from this Congress a permit to be signed by the president allowing him to export said cargo.

On Motion made, *Resolved*, That the executing the above business and taking the bond from Downham Newton be referred to the Committee who brought in the foregoing report

Information being given to Congress that there is a large quantity of powder in the Island of Providence,

Ordered, That the foregoing Committee take measures for securing and bring[ing] away the said powder and that it [be] an instruction to said Committee in case they can secure said powder to have it brought to the port of Philadelphia or to some other port as near Philadelphia as can with safety.¹

On Motion made, *Resolved*, That Mr. R[obert] Morris be added to the foregoing Committee.

The Congress then took into consideration the report of the Committee on the state of the treasury, and came to the following resolutions thereon:

Resolved, That a quantity of bills of Credit be emitted by Congress amounting to 3,000,000 of Dollars.

Resolved, That it be referred to the Committee to consult with the printer, and report the number and denomination of the bills to be emitted, and that they contract for proper paper for this purpose.

¹ Against this paragraph in the "Corrected Journals" is written the word "Secret."

The Committee appointed to prepare a draught of a letter to the Agents, brought in the same, which was read and agreed to as follows:

Gentlemen,

The manner in which the last dutiful petition to his Majesty was received and the subsequent proclamation are considered by Congress as further proofs of those malignant councils, that surround the sovereign and distract the British Empire. It is however happy for mankind that ministers can form destructive plans with much more facility than they can execute them. The enclosed printed detail of the operations in Canada this campaign will sufficiently evince what little success is likely to attend ministerial exertions for bringing the Catholics of Canada and the savages of the wilderness to war on the defenceless women and children of unoffending America. The Canadians are much too liberal to be made instruments in the black design of enslaving their brethren and the Indians with their usual sagacity have by the firmest treaties accepted and pledged themselves to observe the neutrality which Congress desired.

Neither General Gage nor his successor has yet been able to penetrate into the Country. The British Men of War, indeed, that formerly with so much glory supported the interest and the honor of the nation, have with a wanton barbarity and inhumanity that would disgrace savages, have burned the flourishing but defenceless town of Falmouth in the Colony of Massachusetts bay and have frightened many of the weaker sex with their children from other places on the sea coast. It grieves us exceedingly to see the British arms employed in such a manner and for such purposes; but we hope the spirit and virtue of a sensible nation will soon be exerted to procure justice for the innocent oppressed colonies and to restore harmony and peace to the British Empire. There is nothing more ardently desired by North America than a lasting union with Great Britain on terms of just and equal liberty; but as men and as descendants of Britons the good people of these colonies will rely to the last on heaven, and their own virtuous efforts for security against the abusive system pressed by administration for the ruin of America and which if pursued must end in the destruction of a great Empire.

The intelligence now sent is, Gentlemen, to prevent the nation's being imposed upon by misrepresentations and to guard against mistakes that may probably arise from wanting a true state of facts. We

cannot suppose that a brave and sensible people will be prevented by proclamation from furnishing North America with such advice and assistance as the laws permit and justice to an oppressed people demands.

N. B. This and the former letter to the agents in England are in Mr. Hancock's (the president's) letter Book.

Ordered, That a fair copy of the above be made, signed by the president and forwarded to the Agents.

Resolved, That a committee of five be appointed for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world, and that they lay their correspondence before Congress when directed.

Resolved, That this Congress will make provision to defray all such expences as may arise by carrying on such correspondence, and for the payment of such agents as the said Committee may send on this service.

The members chosen, Mr. [Benjamin] Harrison, Dr. [Benjamin] Franklin, Mr. [Thomas] Johnson, Mr. [John] Dickinson, and Mr. [John] Jay.¹

The Committee appointed to take into their consideration the proclamations, which lately appeared in the papers, brought in their report, which was read, and ordered to lie on the table for the perusal of the members.

The several matters to this day ||referred, being postponed,

Adjourned to ten o'clock to Morrow.||

THURSDAY, NOVEMBER 30, 1775

On motion made, *Resolved*, That the Committee appointed for fitting out ships of war be directed to engage seamen on the best terms in their power not exceeding

¹ Bancroft (*History of the United States*, IV, 361) speaks of a motion made by Samuel Chase to send envoys to France with conditional instructions. See John Adams's *Writings*, I, 199.

six dollars and two thirds for the best able bodied seamen per month.

Resolved, That the regulations and articles for governing and manning the ships now fitting out as they have been settled by Congress be immediately printed.

On motion made, *Resolved*, That the Committee appointed to revise the journal of last session be directed to revise the journal of the present session, and prepare them for the press; and also to examine whether it will be proper yet to publish any of those parts omitted in the journal of last session. And as Mr. J[ohn] Rutledge, one of the Committee, is absent, that another member be chosen in his room.

The member chosen Mr. [George] Wythe.

Resolved, That a Committee of three be appointed to report a letter of thanks to the three general Officers employed in the northern Department for their services.

The members chosen, Mr. [James] Wilson, Mr. W[ilham] Livingston, and Mr. [John] Jay.

The Congress then resumed the consideration of General Washington's letter of the 19th;

Resolved, That the General be directed to suspend the raising two battalions of Marines out of his present army.

Resolved, That the two battalions of marines be raised, independent of the army already ordered for the service in Massachusetts bay.

On a motion made and question put, *Resolved*, That no bounty be allowed to the army on re-inlistment.

Sundry letters from General Schuyler, W. Livingston, and the Committee [sent] to the northward, being received, were read.¹

¹ Schuyler's letters, dated November 11 and 20, are in the *Papers of the Continental Congress*, No. 153, I, folios 256 and 320. A letter from the committee to the northward dated November 23, is in the same collection, No. 78, XIV, folio 31. That from Walter Livingston is in the same number, folio 39. It is dated November 24.

Resolved, That the further consideration of the General's letter and the other matters to this day referred, be postponed till to Morrow.

Adjourned to ten o'Clock to Morrow.

FRIDAY, DECEMBER 1, 1775

The Congress resumed the consideration of the letter from General Washington, and after debate, came to the following resolutions:

Resolved, That the money [500,000 dollars] lately ordered, be forwarded, with all possible expedition, to General Washington, that he may be enabled to pay such soldiers as will re-inlist, for the succeeding year, their wages for the months of October, November and December, and also advance to them one month's pay.

Resolved, That the governments of New England be informed of the resolutions of Congress relative to the pay ordered to be made and advanced to the army, and be desired to promote the recruiting service in the present army, as well as in their several colonies.

A letter from the Committee of Frederic County, in Maryland, being received was read, containing an account of the seizure of Major [John] Connolly and others, and desiring the advice of Congress with regard to the prisoners.

On motion, *Resolved*, That the said letters, with the papers enclosed, be referred to the delegates of Virginia, who are desired to take the same into consideration, and report to Congress.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, DECEMBER 2, 1775

A letter from the Committee of Northampton, in Virginia, with sundry papers containing matters of importance being received was read.¹

On motion made, *Resolved*, That the same be referred to the Committee appointed to take into consideration the state of Virginia.

As one of the members of that Committee is absent,² *Resolved*, That another member be chosen, and added to the Committee in the room of the member absent.

The member chosen, Mr. [William] Paca.

Resolved, That the Committee for fitting out armed vessels be instructed and directed to confer with Captain Stone, and engage him and his vessel, on the most reasonable terms, in the service of the Continent, for the purpose of taking or destroying the cutters and armed vessels in Chesapeake Bay, under Lord Dunmore.

Resolved, That Colonel Harrison do immediately proceed to Maryland, and be empowered in conjunction with the delegates of that colony to this Congress, or any one or more of them, [to] take such measures, as appear to them most effectual to procure, with all possible despatch, on continental charge, two or three armed vessels to proceed immediately to cruize on, take or destroy as many of the armed vessels, cutters, and ships of war of the enemy as possible, that may be found in the bay of Chesapeake, or any of its dependencies, ||or coasts of Virginia and Maryland.||

Whereas, designs are formed by certain ministerial partizans in the counties of Norfolk and Princess Ann,

¹ This letter is in *Papers of the Continental Congress*, No. 71, I, folios 13-19.

² Thomas Johnson.

and some other parts of Virginia, on Chesapeake bay, under the influence of Lord Dunmore, to contravene the non-exportation agreement, by exporting provisions and other produce of that Country to the West India Islands, and thereby injure the interest and weaken the efforts of the United Colonies, in opposing the present oppressive system of the British ministry.

Resolved, therefore, That the said armed vessels be authorised and directed to seize and detain, until the further order of this Congress, all such ships and vessels as they may find employed in such exportations from the places aforesaid.

Resolved, That the committee for fitting out armed vessels be directed to employ the armed sloop, commanded by Captain [Abraham] Whipple, of Rhode Island, now on a voyage to this port, and despatch her forthwith to aid the marine business to the southward.

Resolved, That the committee for fitting out armed vessels be directed to prepare a proper commission for the Captains or Commanders of the ships of war in the service of the United Colonies.

On motion made, *Resolved*, That orders issue to the Colonel of the Pennsylvania Battalion, now in the Barracks at Philadelphia, to send a detachment of his regiment and keep a regular guard on the wharves of Messrs. Willing and Morris, and Mr. Cuthbert, to take care of the ships and stores belonging to the United Colonies.

The house of Assembly of New Jersey having, by a resolution of their house, passed the 22d of November last, accepted the resignation of two of their delegates, and confirmed the remaining three, and, by another resolution passed the 30th of said month, enlarged their power, the same were read as follows:

December, 1775

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NEW JERSEY, HOUSE OF ASSEMBLY.

NOVEMBER 22, 1775

The house took into consideration the request of James Kinsey and John De Hart,¹ Esqrs. two of the delegates appointed by this house to attend the Continental Congress, for leave to resign their said appointment,

Resolved, That the reasons given by those gentlemen for their resignation, appear to this house to be satisfactory, and that their resignation therefore be accepted; thereupon,

Resolved, That the three remaining delegates, or any two of them, represent the Colony during the present continental Congress.

THURSDAY, NOVEMBER 30, 1775

The house, taking into consideration the inconvenience arising from requiring the Attendance of two of the delegates to represent the Colony in the Continental Congress,

Resolved, That any one of the three delegates appointed to attend the Congress be, and such delegate is hereby fully authorised to represent this colony during Congress.

A true copy from the votes,

RICHARD SMITH, *Clerk of Assembly*.

The Committee appointed to prepare the form of a commission, &c. reported the same, which was read and agreed to.

Ordered, That 300 be immediately printed, ||with proper blanks.||

Application being made that Captain Jenkins be permitted to take a quantity of provisions for the internal consumption of the inhabitants of Nantucket, the reason

¹ "The Peculiar circumstances of my family hath Prevented me from attending the Congress for some time past, and the same yet continuing renders it uncertain when I shall be able to attend. This and other reasons needless to be mentioned induces me earnestly to desire and request that the Honorable House, will now be pleased to appoint Another to Attend the Continental Congress in my stead." *John De Hart to the General Assembly of the Colony of New Jersey*, 13 November, 1775.

to be set forth of this application from the papers produced and read.¹

Ordered, That permission be granted to Captain Jenkins, to carry the provisions specified in the Certificate of the Committee of Falmouth, for the internal consumption of the Inhabitants of Nantucket, the Captain giving bond and taking oath to the committee of inspection of this city, to pursue their instructions in his voyage, and to use his utmost endeavour not to fall into the power of the cutters or armed vessels of the enemy.

The Committee on the treasury brought in their report;

Resolved, That the Number and denominations of the bills ordered to be emitted, be as follows:

83, 334 of 8 dollars=	666, 672	83, 333 of 3 dollars=	249, 999
83, 333 of 7 do.	583, 331	83, 333 of 2 do.	166, 666
83, 333 of 6 do.	499, 998	83, 333 of 1 do.	83, 333
83, 333 of 5 do.	416, 665		
83, 334 of 4 do.	333, 336		3, 000, 000

Resolved, That the plates used in the late emission, be used for striking off and printing the above bills.

Resolved, That the gentlemen who superintended the press at the last emission, be empowered to superintend the printing these bills.

Resolved, That the Committee on the treasury, be directed to think of proper persons for signing and numbering said bills, and report to Congress.

The Congress then resumed the Consideration of the General's letters, and the report of the Committee of Conference, who went to Cambridge:

Resolved, That it be an instruction to the Committee appointed to contract for the supplying the prisoners, that

¹ In the printed Journals, this paragraph read: "and it being represented that he had applied to the assembly or general court of Massachusetts-Bay, and that the committee of Falmouth, to whom he was by them referred, not having it in their power to furnish the provisions wanted, had recommended him to Congress to be supplied with the same at some port in the middle or southern colonies."

Mr. D. Franks, of this city, be permitted to supply the troops, who are prisoners in this Colony, with provisions and other necessaries, at the expence of the crown, and to sell his bills for such sums of money as are necessary for that purpose, and that the committee confer with Mr. Franks, and know of him whether he will also undertake, on the same terms, to supply the prisoners in the other colonies.

Resolved, That the regiment of artillery consist of one Colonel, two lieutenant Colonels, two Majors and twelve companies.

That the president inform the General that two Gentlemen, viz: Thomas Crafts, jun. and George Trott, Esqrs. have been recommended to Congress as proper persons for field officers in said regiment, and that the General enquire into their characters and abilities; and if, upon enquiry, he shall judge them proper, and that the appointment of them will occasion no disturbance and disgust in the regiment, that he appoint them, and acquaint Congress thereof.

The Congress resumed the consideration of the report of the Committee of conference; and thereupon came to the following resolutions:

Resolved, That it be recommended to the Assembly, or general Court of Massachusetts bay, to use all the means in their power, that the army before Boston be supplied with wood and hay, on the most reasonable terms.

Resolved, That in the new establishment of the army, the general officers be not allowed regiments, nor the field officers companies.

Resolved, That all persons taken in arms on board any prize, be deemed prisoners at the disposal of the General, whether prizes be taken by vessels fitted out in the pay of the Continent or by others.

Resolved, That such as are taken be treated as prisoners of war, but with humanity, and allowed the same rations as the troops in the service of the Continent; that the officers being in pay should supply themselves with cloaths, their bills to be taken therefor, that the soldiers be furnished as they now are.

Resolved, That as the number of men in the new army in Massachusetts bay is calculated to oppose the army at Boston, it is not expected that the General should detach any part of it to New York or elsewhere, unless it appears to him necessary so to do, for the common safety.

Resolved, That the troops in the new army be paid monthly.

Resolved, That an exchange of prisoners will be proper, citizens for citizens, officers for officers of equal rank, and soldier for soldier.

Resolved, That Ensign Moland be detained in the place where he now is, until exchanged.

Resolved, That this Congress approve the terms on which the artificers of different sorts have been employed in the Army; and that the General go on upon the present Agreement, as being the best that can probably be made.

Resolved, That the General be directed to pick out from each of the rifle companies, such as are not marksmen, and dismiss them in such manner as will be safest, with an allowance of pay to go home, if they do not chuse to enlist in other battalions, and, in the mean time, that all receive their pay.

Resolved, That what artillery of different kinds can be spared from New York and Crown Point, be procured and forwarded to the army before Boston.

Resolved, That the Committee of Correspondence be directed to use their endeavours to find out and engage

in the service of the united colonies skilful engineers not exceeding four, on the best terms they can, and that the said Committee be authorised to assure such able and skilful engineers as will engage in this service, that they shall receive such pay and appointments as shall be equal to what they have received in any former service.

Resolved, That the Indians of St. Francis, Penobscot, Stockbridge, and St. John's, and other tribes, may be called on in case of real necessity, and that the giving them presents is both suitable and proper.

Resolved, That it be referred to a Committee of three members to devise the best mode of having expresses (persons of character) posted along the roads at different distances, for the purpose of conveying early and frequent intelligence.

The members chosen, Dr. [Benjamin] Franklin, Mr. [Francis] Lewis, and Mr. [Silas] Deane.

Resolved, That as much lead as can be spared from the northern department, and is wanted at Cambridge, be sent down from Ticonderoga to Cambridge, and that other supplies of lead and flints be attended to.

Resolved, That the Congress approve the General's fitting out armed vessels to intercept the enemy's supplies.

Resolved, That when the army receives such supplies of powder as to be enabled to spare some to the country, that it be sold to them at a reasonable price.

Resolved, That the Secret Committee be directed to enquire what articles are necessary for the use of the army, and how they may be procured, and make report to Congress.

Ordered, That ~~a certified copy of~~ the resolutions passed on the General's letters, and on the report of the Committee of Conference, and such other resolutions as relate

to the establishment of the new army, not already forwarded, be ~~immediately~~ sent by express to the General.

The Congress being informed that Mr. Ethan Allen, who was taken prisoner near Montreal, is confined in irons on board a vessel in the river St. Lawrence,

Ordered, That General Washington be directed to apply to General Howe on this matter, and desire he may be exchanged.

The several matters to this day referred being postponed,

Adjourned to ten o'Clock on Monday next.

MONDAY, DECEMBER 4, 1775

Information being given to Congress that Major Preston who was taken prisoner at St Johns is now in town,

Ordered, That Mr. [James] Duane call upon him and obtain a representation of facts how he came here and whether he and the other officers have any liberty granted him with regard to the place of their confinement.

Information being given to Congress that Major Stopford notwithstanding his parole is endeavouring to debauch the minds of the people,

Resolved, That the delegates of New Jersey be directed to write to the Committee of Trenton and desire them to enquire into the conduct and behaviour of Major Stopford and the officers there and report to Congress.

On application of the Committee to be discharged,

Resolved, That the Committee, to whom the accounts and application from the colony of Massachusetts for a sum of money, be upon their request discharged from farther service on that account.¹

¹ The reason given was the want of proper vouchers, which prevented action.

Application being made in behalf of the Colony of New Hampshire for a sum of money, on account of their advances in behalf of the Continent,

Resolved, That the sum of 40,000 dollars be paid to the Colony of New Hampshire, they to be accountable for the same.

Resolved, That the sum of 443,333 $\frac{1}{3}$ Dollars be paid to the Colony of Massachusetts, in part of their account, the said colony to be accountable for the same.

Resolved, That both the above sums be paid out of the emission last ordered.

The Committee appointed on the state of Virginia, to whom were referred the letters received on Saturday, brought in a report, which was read, on which the Congress came to the following resolutions:

Resolved, That three companies of the battalions raised in the colony of Pennsylvania, immediately march under the command of lieutenant colonel Irvine, into Northampton county, in Virginia, for the protection of the Association in those parts, and for the defence thereof against the designs of the enemies of America.

Resolved, That it be and it is hereby recommended to the Inhabitants of the colony of Virginia, to resist to the utmost the arbitrary government intended to be established therein, by their Governor Lord Dunmore, as manifestly appears by the whole tenor of his Lordship's conduct for some months past.

Whereas Lord Dunmore, by his proclamation lately published, has declared his intention to execute martial law, thereby tearing up the foundations of civil authority and government within the said colony:

Resolved, Therefore, that if the convention of Virginia shall find it necessary to establish a form of government

in that colony, it be recommended to that Convention to call a full and free representation of the people, and that the said representatives, if they think it necessary, establish such form of government as in their judgment will best produce the happiness of the people, and most effectually secure peace and good order in the colony, during the continuance of the present dispute between Great Britain and these colonies.

Resolved, That the Committee on the state of Virginia have leave, at their request, to sit again.

On motion, *Resolved, unanimously*, That in the present situation of affairs, it will be very dangerous to the liberties and welfare of America, if any Colony should separately petition the King or either house of Parliament.

Resolved, That a Committee of three be appointed to confer with the Assembly of New Jersey.

The members chosen, Mr. [John] Dickinson, Mr. [George] Wythe, and Mr. [John] Jay.

On motion made, *Resolved*, That Carlisle, ||in the colony of Pennsylvania,|| be assigned as well as the three towns of Reading, Lancaster and York, for the disposition of the prisoners taken at St. John's.

Resolved, That a letter be written to Mr. [Henry] Knox, ||by the first express to Albany,|| desiring him, in case he be at Albany on the arrival of the express, and the service he is upon will admit, to repair to ||the fortresses on Hudson's river, in|| the highlands, and inspect the state of the works carrying on there, and the situation of the places adjacent, and transmit an account thereof to Congress.

The delegates of Massachusetts bay produced to Congress a resolution of the General court of that Colony, of the 10th and 11th of November last, extending the

commission of their delegates to the last day of January; which was read.¹

||The several matters to this day referred, being postponed,

Adjourned to ten o'clock to Morrow.||

TUESDAY, DECEMBER 5, 1775

On motion made, *Resolved*, That the seamen and marines be engaged for the first of January, 1777, unless sooner discharged by Congress.

¹IN THE HOUSE OF REPRESENTATIVES, Nov. 10th, 1775.

Whereas the Honorable John Hancock, Tho^s Cushing, Samuel Adams, John Adams, and Rob^t Treat Paine Esq^r have been duly appointed to represent this Colony at the American Congress now held at Philadelphia, and by their Commission are appointed to represent this Colony in said Congress until the last day of December next.

And whereas the important Business of the Colony has hitherto prevented this Court from proceeding to a choice of Delegates to represent this Colony in the said American Congress after the last day of December. And whereas this Court is near adjourning for a short space,

Therefore, *Resolved*, that the Time limited in the said Commission of the present Delegates of this Colony, now attending the American Congress for their representing this Colony therein be further extended unto the last day of January next; and the said John Hancock, Tho^s Cushing, Samuel Adams, John Adams, and Robert Treat Paine Esquires, are hereby fully impowered to Act for and represent this Colony in the said American Congress agreeable to their former Commissions, until the said last Day of January next.

Sent up for Concurrence

J. WARREN *Spkr*

In Council Nov^r 11th, 1775

Read and Concurred

PERRI^x MORTON *Dp^y Sec^y*

Consented to

JAMES OTIS	JOHN WHITCOMB	M. FARLEY	MOSES GILL
W SPOONER	JAMES PRESCOTT	J. PALMER	JOHN TAYLOR
CALEB CUSHING	ELDAD TAYLOR	S. HOLTON	B. WHITE
JOSEPH GERRISH	B LINCOLN	JABEZ FISHER	

a True Copy

Attest

PERRI^x MORTON *Dp^y Sec^y*

Endorsed, Resolve to Extend the Com^s of the Delegates at the American Congress to last of January—

Nov. 10th, 1775. Read December 4.

It being suggested that the resolution of Congress, ||passed the 2d instant,|| relating to Captain Jenkins, was grounded on a mistake with regard to facts,

Resolved, That a Committee of three be appointed to take the matter into consideration, ||enquire into facts,|| and make report thereon to Congress.

The members chosen, Mr. J[ohn] Adams, Mr. [Thomas] Cushing, and Mr. [Thomas] M'Kean.

The Committee of claims applying for instructions on the Accounts laid before them from the Colony of Rhode Island,

On motion made, and question put, *Resolved*, That the charge for purchase of arms be not allowed.

That the charge for repairing arms be not allowed.

That the expence of removing the stock from Block Island and other places agreeable to the request of the General, be at the continental expence.

Resolved, That the twelve cannon furnished to the army in the camp at Cambridge, by the government of Rhode Island, be allowed in the foregoing account.

On motion, *Resolved*, That the farther consideration of this matter be deferred till to Morrow.

Resolved, That those who supply the three companies ordered to Northampton with arms, shall either have the same returned in kind as soon as they can be procured, or their value paid for by the United Colonies, the value of which is to be deducted from the pay of the soldiers.

A letter from Lord Stirling, dated 3 December,¹ with some enclosures, was received and read.

On motion, *Resolved*, That the committee for fitting out armed vessels have liberty consulting with the committee of inspection of this City, to purchase duck and such articles as they may want.

¹ This letter is in the *Papers of the Continental Congress*, No. 162, folio 329.

On motion made, *Resolved*, That the form of the bills ordered to be emitted be as follows:

CONTINENTAL CURRENCY

No.

Dollar.

THIS bill intitles the bearer to receive

Spanish milled dollars,
or the value thereof in gold or silver, according to a resolution of Congress passed at Philadelphia, November 29, 1775.

Resolved, That the said bills be numbered, as the treasurers shall direct, provided the number shall be different from the former emission ||beginning with one, upwards, in ink of a different color from the last emitted bills.||

The Committee on re-captures brought in their report which being read was taken into consideration, and thereon the Congress came to the following resolution:

Resolved, That, in cases of recaptures, the re-captors ought to have and retain, in lieu of salvage, one-eighth part of the true value of the vessel and cargo, or either of them, if the same have or hath been in possession of the enemy twenty-four hours; one-fifth part, if more than twenty-four, and less than forty-eight hours; one-third part, if more than forty-eight and less than ninety-six hours; and one half, if more than ninety-six hours, unless the vessel shall, after the capture, have been legally condemned as prize by some court of admiralty, in which case the re-captors ought to have the whole; in all which cases the share detained, or prize to be divided between the owners of the vessel making the re-capture, the colony or the Continent, as the case may be, and the captors, agreeable to a former resolution.

On motion, *Resolved*, As the army to the northward are likely to be supplied with Clothing at Montreal, that the

cloathing purchased for the northern army, and sent to Albany, be forwarded by land to Mr. [Thomas] Mifflin, quarter master general, for the use of the Army before Boston.

The several matters to this day referred, being postponed,

Adjourned to ten o'Clock to Morrow.

WEDNESDAY, DECEMBER 6, 1775

The Committee of Claims reported that there is due to Robert Erwin for wagon hire, £133. 7. 10 = 355.7 dollars.

Ordered, That the said account be paid.

Upon motion made *Resolved*, That the three prisoners taken by Captain A[braham] Whipple, and ||in his passage to Philadelphia,|| who are now on board his vessel, be delivered to the committee of safety of the Colony of Pennsylvania, who are directed to secure them in safe custody in some gaols in said Colony.

A return being laid before Congress of the number of flints in this city, amounting to upwards of 200,000,

On motion made, *Resolved*, That the committee of inspection of this city ||and liberties of Philadelphia|| be desired to purchase said flints for the use of the Continent, and that in making the purchase, attention be paid to the resolution of Congress against raising the price of goods.

The Congress resumed the consideration of the instructions to be given to the Committee of Claims,

On motion made, and question put, *Resolved*, That the charge for bounty in the account exhibited by Rhode Island against the Continent be not allowed.

The Committee, to whom the petition of Captain Dougal McGregor ||was referred,|| brought in their report, which being read, was agreed to as follows, viz.

Resolved, That it is the opinion of the Committee that the circumstances stated in the said petition will not justify a license to export the said lumber and naval stores, contrary to the rules of American Association.

Resolved, That if the said Dougal McGregor will give bond, with sufficient security, in a penalty of double the value of the said Lumber and Naval stores, to the President of the provincial council of North Carolina, with condition that he will not carry the said cargo to Great Britain, Ireland, Guernsey, Jersey, Sark, Aldernay, or Man, or any European Island or settlement within the British Dominions, nor to the British West Indies; and that he shall, within six months after exporting the same, import into Edenton, Newbern, or Bogue Inlet, in the colony of North Carolina; and there deliver to the commander of the continental troops in the said colony, such quantity of muskets, or gunpowder, as shall be equal to the value of the said lumber and naval stores, the public interest requires that he be permitted to export the same, and that a permit for that purpose, signed by the said President, be given him on his executing such bond as aforesaid.

The Congress resumed the consideration of the report of the committee on proclamations, which being debated by paragraphs, was agreed to as follows:

Ordered, That it be published.

Here insert it¹

We, the Delegates of the thirteen United Colonies in North America, have taken into our most serious consideration, a Proclamation issued from the Court of St. James's on the Twenty-Third day of August last. The name of Majesty is used to give it a sanction and influence; and, on that account, it becomes a matter of importance to wipe off, in the name of the people of these United Colonies, the aspersions

¹The text of the report is not entered in the MS. Journals.

which it is calculated to throw upon our cause; and to prevent, as far as possible, the undeserved punishments, which it is designed to prepare for our friends. We are accused of "forgetting the allegiance which we owe to the power that has protected and sustained us." Why all this ambiguity and obscurity in what ought to be so plain and obvious, as that he who runs may read it? What allegiance is it that we forget? Allegiance to Parliament? We never owed—we never owned it. Allegiance to our King? Our words have ever avowed it,—our conduct has ever been consistent with it. We condemn, and with arms in our hands,—a resource which Freemen will never part with,—we oppose the claim and exercise of unconstitutional powers, to which neither the Crown nor Parliament were ever entitled. By the British Constitution, our best inheritance, rights, as well as duties, descend upon us: We cannot violate the latter by defending the former: We should act in diametrical opposition to both, if we permitted the claims of the British Parliament to be established, and the measures pursued in consequence of those claims to be carried into execution among us. Our sagacious ancestors provided mounds against the inundation of tyranny and lawless power on one side, as well as against that of faction and licentiousness on the other. On which side has the breach been made? Is it objected against us by the most inveterate and the most uncandid of our enemies, that we have opposed any of the just prerogatives of the Crown, or any legal exertion of those prerogatives? Why then are we accused of forgetting our allegiance? We have performed our duty: We have resisted in those cases, in which the right to resist is stipulated as expressly on our part, as the right to govern is, in other cases, stipulated on the part of the Crown. The breach of allegiance is removed from our resistance as far as tyranny is removed from legal government. It is alledged, that "we have proceeded to an open and avowed rebellion." In what does this rebellion consist. It is thus described—"Arraying ourselves in hostile manner, to withstand the execution of the law, and traiterously preparing, ordering, and levying war against the King." We know of no laws binding upon us, but such as have been transmitted to us by our ancestors, and such as have been consented to by ourselves, or our representatives elected for that purpose. What laws, stampt with these characters, have we withstood? We have indeed defended them; and we will risque every thing, do every thing, and suffer every thing in their defence. To support our laws, and our liberties established by our laws, we have prepared, ordered,

and levied war: But is this traiterously, or against the King? We view him as the Constitution represents him. That tells us he can do no wrong. The cruel and illegal attacks, which we oppose, have no foundation in the royal authority. We will not, on our part, lose the distinction between the King and his Ministers: happy would it have been for some former Princes, had it been always preserved on that part of the Crown.

Besides all this, we observe, on this part of the proclamation, that "rebellion" is a term undefined and unknown in the law; it might have been expected that a proclamation, which by the British constitution has no other operation than merely that of enforcing what is already law, would have had a known legal basis to have rested upon. A correspondence between the inhabitants of Great Britain and their brethren in America, produced, in better times, much satisfaction to individuals, and much advantage to the public. By what criterion shall one, who is unwilling to break off this correspondence, and is, at the same time, anxious not to expose himself to the dreadful consequences threatened in this proclamation—by what criterion shall he regulate his conduct? He is admonished not to carry on correspondence with the persons now in rebellion in the colonies. How shall he ascertain who are in rebellion, and who are not? He consults the law to learn the nature of the supposed crime: the law is silent upon the subject. This, in a country where it has been often said, and formerly with justice, that the government is by law, and not by men, might render him perfectly easy. But proclamations have been sometimes dangerous engines in the hands of those in power; Information is commanded to be given to one of the Secretaries of State, of all persons "who shall be found carrying on correspondence with the persons in rebellion, in order to bring to condign punishment the authors, perpetrators, or abettors, of such dangerous designs." Let us suppose, for a moment, that some persons in the colonies are in rebellion, and that those who carry on correspondence with them, might learn by some rule, which Britons are bound to know, how to discriminate them; Does it follow that all correspondence with them deserves to be punished? It might have been intended to apprise them of their danger, and to reclaim them from their crimes. By what law does a correspondence with a criminal transfer or communicate his guilt? We know that those who aid and adhere to the King's enemies, and those who correspond with them in order to enable them to carry their designs into effect, are criminal in the eye of the law. But the law

goes no farther. Can proclamations, according to the principles of reason and justice, and the constitution, go farther than the law?

But, perhaps the principles of reason and justice, and the constitution will not prevail: Experience suggests to us the doubt: If they should not, we must resort to arguments drawn from a very different source. We, therefore, in the name of the people of these United Colonies, and by authority, according to the purest maxims of representation, derived from them, declare, that whatever punishment shall be inflicted upon any persons in the power of our enemies for favouring, aiding, or abetting the cause of American liberty, shall be retaliated in the same kind, and the same degree upon those in our power, who have favoured, aided, or abetted, or shall favour, aid, or abet the system of ministerial oppression. The essential difference between our cause, and that of our enemies, might justify a severer punishment: The law of retaliation will unquestionably warrant one equally severe.

We mean not, however, by this declaration, to occasion or to multiply punishments: Our sole view is to prevent them. In this unhappy and unnatural controversy, in which Britons fight against Britons, and the descendants of Britons, let the calamities immediately incident to a civil war suffice. We hope additions will not from wantonness be made to them on one side: We shall regret the necessity, if laid under the necessity, of making them on the other.

Extract from the Minutes,

CHARLES THOMSON, *Sec.*

A petition and memorial from Colonel J. Bull, was ||presented to Congress and|| read.

Resolved, That the same be taken into consideration on Friday next.

On Motion made, *Resolved*, That Lieutenant Jocelyn Feltham, have leave to join the officers of the 26th Regiment, and reside with them in the places destined for their reception.

On Motion made, *Resolved*, That Major Preston, and the officer with him, remain in Philadelphia until farther orders from this Congress.

That the president inform Major Preston of the foregoing resolution.

A letter from General Washington, dated 28th November, being received, was read.¹

Resolved, That the same be taken into consideration to Morrow morning.

The several matters to this day referred, being postponed,

Adjourned to 9 o'Clock to Morrow.

THURSDAY, DECEMBER 7, 1775

The Congress took into consideration the General's letter received yesterday. During their deliberation, advice being received that the women and children taken at St. John's, were arrived, with their baggage,

On motion, *Resolved*, That it be recommended to the committee of safety of this Colony, to have them removed to the places assigned them in the cheapest manner, at the expence of the Continent.

On motion, *Resolved*, That Mr. George Cuppaidge, lieutenant of the 26th Regiment, be permitted to go to New York for a week upon his parole of honor, that he will neither speak nor write to any person upon any political subject, or give any intelligence whatsoever upon such topic, and will return ||to Philadelphia|| at the end of the week.

The Congress then resumed the Consideration of the General's letter. During debate, an express arrived with a letter from Lord Stirling, dated Amboy, 6th December, which was read, containing an account that Colonel Arnold has taken possession of Quebec.²

¹ This letter is in *Papers of the Continental Congress*, No. 152, I, folio 291, and is printed in *Writings of George Washington* (Ford), III, 241. It is indorsed "Considered Decem. 7."

² This letter is in the *Papers of the Continental Congress*, No. 162, folio 344.

The Congress then resumed the consideration of the General's letter ||of the 28th ult. came to the following resolutions:||

On motion, Whereas doubts may arise respecting the true intent and construction of a certain resolution of this Congress, passed the 4th day of November last, empowering the General, in case the necessity of the service should require it, to call forth the minute men and Militia of the New England colonies,

Resolved, That the said resolution shall not extend or be construed to authorize the General to call forth the said minute men or Militia, without having applied to and obtained the consent of those Officers, in whom the executive powers of government in those colonies may be vested.

Resolved, That the president write letters to the council of Massachusetts bay, the Convention of New Hampshire, and the Governors of Rhode Island and Connecticut, acquainting them with the present state of the Army, and enclosing copies of the resolutions of this Congress, relative to the General's being empowered to call forth the Militia of those governments, on any emergency, and requesting those colonies to exert themselves in defence of our common liberties, by affording the General all the aid in their power, and comply with his request for the assistance of the Militia whenever he may find it necessary to apply for it.

A letter from General Schuyler, of the 22d November, inclosing a copy of a letter from General Montgomery, dated 17th November, and one from Colonel Arnold, 14th ||of the same month,|| being received, were read.¹

¹ This letter is in *Papers of the Continental Congress*, No. 153, I, folio 342. A copy of the Arnold letter is with it.

The several matters to this day referred being postponed,

Adjourned to 9 o'Clock to Morrow.

FRIDAY, DECEMBER 8, 1775

The Committee, to whom the petition of Captain Jenkins was referred, brought in their report, which was read.

The Committee to whom the letter from the committee of inspection of the county of Frederic, in the Colony of Maryland, relative to Allen Cameron, John Smith, and John Connolly, with the papers inclosed, was referred, brought in their report, which being taken into consideration,

Resolved, That the said Allen Cameron, John Smith, and John Connolly, be confined in Prison in Philadelphia until the further order of Congress, at the continental Expence.

Ordered, That the president transmit a copy of the above to the committee of Inspection of Frederic, and desire them, in pursuance of the above resolution, to send the prisoners under guard to Philadelphia.

On motion made, *Resolved*, That the petition of Jonathan Hudson, be referred to a Committee of three.

The members chosen, Mr. [Thomas] Jefferson, Mr. [John] Penn, and Mr. R[obert] Morris.

The Congress, taking into consideration the letters from Lord Stirling, ||came to the following resolutions:||

Resolved, That Mr. Thomas Lowry be appointed to supply the New Jersey battalions with the rations and other necessaries allowed the Soldiers at said 7^d $\frac{3}{4}$ = [31-360 of a dollar] per ration.

On motion, *Resolved*, That Mr. Crane be directed to give Mr. Lowry the proper order for securing, for the use of the Jersey battalions, the blankets in the barracks in that colony.

Resolved, That each company of the two battalions raised in New Jersey, not already ordered to the fort on Hudson's River, in the highlands, in the Colony of New York, be, and they are hereby ordered to march, as soon as they can be furnished with barrack necessities and arms, to the city of New York, and ||there|| remain till farther orders; and that four of the companies ordered to the fort in the highlands, be likewise stationed in the city of New York, till Barracks can be fitted up for them in that fort.

Ordered, That a copy of the above be transmitted to Lord Stirling.

On motion, *Resolved*, That a surgeon be allowed to each regiment, ||in the service of the United Colonies;||

That the pay of a regimental Surgeon be 25 Dollars per ||calendar|| month.

William Barnet, jun. was unanimously elected surgeon of the first or eastern battalion raised in New Jersey.

On motion, *Resolved*, That a standing committee, to consist of one member from each Colony, be appointed to take into consideration the application of the several persons applying to be officers in the American army, to examine into their qualifications, and report to Congress.

N. Hampshire J Bartlett	Pensylvania A Allen
Massachusetts Sam ^l Adams	Delaware C. Rodney
Rhode Island S. Ward	Maryland
Connecticut E. Dyer	Virginia F. L. Lee
N. York J. Jay	N Carolina J. Penn
New Jersey W Livingston	S. Carolina T. Lynch

On motion, *Resolved*, That Mr. G[unning] Bedford, the deputy muster master general, ||who is now in town,|| be directed to muster the battalion raised in this Colony, and make return to Congress as soon as possible.

Resolved, That the farther consideration of Lord Sterling's letter, ||which respects the arresting and imprisoning soldiers for small sums,|| be referred to a committee of Mr. [John] Jay, Mr. [James] Wilson, and Mr. W[ilham] Livingston.

The Committee on frauds report that they have made some proficiency, but meet¹

The committee appointed to consider of ways and means for establishing expresses, brought in their report, which was read.

On motion, *Ordered*, That the letters from General Schuyler, General Montgomery and Colonel Arnold, be published.²

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, DECEMBER 9, 1775

On motion from the Committee appointed to fit out armed vessels,

Resolved, That the said Committee be empowered to employ the following officers, and that their pay be as follows, viz:

Midshipman,	12 dollars per calendar month,	Quartermaster,	9 dollars per calendar month.
Armourer,	15 do. do.	Quarter Gunner,	8 do. do.
Sailmaker,	12 do. do.	Cook,	12 do. do.
Yeoman,	9 do. do.	Coxswain,	9 do. do.

¹ An unfinished entry.

² Printed in the *Pennsylvania Packet*, 11 December, 1775.

Pilot according to the usual rates; when absolutely necessary, the commander to give such further gratuity as may be necessary for the good of the service.

On motion, *Resolved*, That an order issue for raising four battalions in the colony of Pennsylvania, on the same terms as that already raised.

Resolved, That a like order issue for raising one battalion in the lower counties on Delaware, on the same terms as those ordered to be raised in Pennsylvania.

The Congress took into consideration the letters from General Schuyler, from 11th November inclusive, and thereupon came to the following resolutions:

Resolved, That the orders given to General Montgomery, to purchase cloathing at Montreal, for the troops ||under his command,|| be and are approved.

Resolved, That the officers, who are prisoners, be allowed to sell their bills for their subsistence.

Resolved, That Major Preston, Captain Kinnear, Captain Goodwin, and Major Stopford, pay to the continental treasurers, the sums advanced them by General Schuyler, and that General Schuyler be informed of this resolution, and desired to send their obligations to the treasurers.

Resolved, That General Montgomery be appointed a Major General in the army of the United Colonies.

Resolved, That the sum of 166 dollars per month, be allowed to the commander for the time being, in the province of Canada, and residing there, for the expence of his table, over and above the pay, to which he may be intitled by his Commission.

Resolved, That the several letters from General Schuyler, with the enclosures, except what refers to Mr. Phelps, be committed to a committee of three, who are to take

the same into consideration, and report thereon to Congress.

The members chosen, Mr. [John] Dickinson, Mr. [Thomas] M'Kean, and Mr. [George] Wythe.

On motion, *Resolved*, That the sum of 3,000 dollars be advanced to Mr. C[arpenter] Wharton, who has contracted to supply the battalion raised in Pennsylvania, at 7^d[= 7.90 of a dollar] per ration, and that the same to be paid him on his signing the contract, and giving proper security for the performance thereof.

The Committee of Claims reported, that there [is] due to William Chew, for riding express to the salt petre rock in Virginia, and bringing samples of the mineral, the sum of 84.3 Dollars.

Ordered, To be paid.

Resolved, That an order be drawn on the treasurer for the sum of 1,956 dollars in favour of Colonel E[liphalet] Dyer for medicines by him purchased agreeable to the order of the Congress for the use of the Army.

The Commissioners for Indian affairs in the middle department, brought in their report.

Ordered, That the same be considered on Wednesday next.

Resolved, That Monday next be assigned for taking into consideration the instructions to the delegates of Rhode Island.

The several other matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, DECEMBER 11, 1775

A letter from General Washington, dated 30th November, being received, was read,¹ enclosing an Invoice of Stores on board the *Nancy* transport, taken by the schooner *Lee*, Captain Manly; also a letter from the Convention of New York, dated 7th December.

The Committee to whom that part of Lord Stirling's letter, respecting the arresting and imprisoning soldiers for small sums, was referred, brought in their report.

Agreeable to the order of the day, the Congress took into consideration the instructions given to the delegates of Rhode Island, and ||after debate thereon,|| come to the following resolution:

Resolved, That a Committee be appointed to devise ways and means for furnishing these colonies with a naval armament, and report with all convenient speed.

That the committee consist of a member from each Colony. The members are Mr. [Josiah] Bartlett, Mr. S[amuel] Adams, Mr. [Stephen] Hopkins, Mr. [Silas] Deane, Mr. [Francis] Lewis, Mr. [Stephen] Crane, Mr. R[obert] Morris, Mr. [George] Read, Mr. [William] Paca, Mr. R[ichard] H[enry] Lee, Mr. [Joseph] Hewes, and Mr. [Christopher] Gadsden.

The Congress then took into Consideration the report of the Committee on Captain [Thomas] Jenkins's petition, which was agreed to as follows:

The Committee appointed to consider the Application of Captain Thomas Jenkins of the island of Nantucket, for license to sell his cargo of oil in this city, and to purchase a cargo of provisions and fuel for the necessary use

¹ This letter is in *Papers of the Continental Congress*, No. 152, I, folio 301. In the Library of Congress are also to be found various vouchers relating to the disposition of the cargo on this vessel.

of the inhabitants of said island, have taken the same into consideration, and come to the following resolutions:

Resolved, That the vigilance and zeal of the committee of the city and liberties of Philadelphia, in preventing the said Jenkins's cargo from being sold, contrary to the resolutions of Congress, be highly approved.

Resolved, That it appears to this Committee, that the inhabitants of said island are at present in great distress for want of the necessaries of life.

Resolved, That humanity requires that some speedy measures be taken by the Congress, to enable the said inhabitants to supply themselves with necessary fuel and provisions.

Resolved, That the select men of the town of Sherbourne, in Nantucket, prepare an estimate of the quantity of fuel, and provisions necessary for the use of said Inhabitants, and lay it before three or more justices of the peace, for the county of Barnstable, in the Colony of Massachusetts bay, attested by the oath or affirmation of the said select men; and that the said justices be empowered to grant licenses under their hands to any master or owner of vessels in the said island, to import fuel and provisions from the colonies of Massachusetts bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Lower Counties on Delaware, or Maryland, not exceeding the quantities specified in said estimate.

Resolved, Whereas it appears that the said inhabitants are in immediate danger of suffering for want of the necessaries of life, that the said Captain Jenkins be permitted, under the inspection of the committee of the city of Philadelphia, to unload and sell his present cargo, and to purchase a cargo of fuel or provisions, provided he shall first make oath or affirmation before a magistrate, and give bond, that the same is, *bona fide*, intended for the internal

consumption of the said inhabitants, and that he will use his utmost endeavours, that it shall not fall into the hands of the enemies of the United Colonies.

The Committee to whom the petition of Jonathan Hudson was referred, reported their opinion in certain resolutions, which being read, were agreed to as follows:

Resolved, That so much of the said petition as prays for permission to export said cargo to any place other than the islands of Great Britain, Ireland, Jersey, Guernsey, Sark, Aldernay, or Man, or the West India Islands, is reasonable.

Resolved, That so much of the said petition as prays for any further permission is unreasonable.

Resolved, That the said petitioner give bond, with sufficient security, to the chairman of the committee of the town of Baltimore, under a penalty of double the value of the said cargo, to export the said cargo to some place other than the islands of Great Britain, Ireland, Jersey, Guernsey, Sark, Alderney, Man, and the islands of the West Indies; and within six months after the said exportation, to produce to the said chairman a certificate of the port, to which the said cargo shall have been shipped, authenticated under the hands of two Merchants of known character and reputation, residing in the same port; and that on executing such bond, the said chairman sign a permit to the said petitioner, allowing him to export the said cargo.

The Congress resumed the Consideration of a resolution of Congress respecting the numbering of the bills ordered to be emitted.

Resolved, that the Numbers commence from No. 1, and that the said numbers be in different ink from the former.

Resolved, That the following gentlemen be appointed to sign and number the bills ordered to be emitted, viz.

Samuel Morris, Frederick Kuhl, Stephen Collins, Nicholas Garrison, Matthew Clarkson, Samuel C. Morris, Thomas Barclay, Anthony Morris, jun. James Wharton, Benjamin Fuller, Joel Evans, Andrew Bunner, John Mease, Thomas Coombe, John Bayard, Robert Tuckniss, Isaac Hazlehurst, Thomas Morris, Samuel Caldwell, John Purviance, Mordecai Lewis, George Campbell, Joseph Parker, Daniel Clymer, Joseph Watkins, jun., John Shee, Phineas Bond, James Read, Robert Roberts, John Ord, Isaac Howell, William Webb, Jonathan B. Smith, Cornelius Barnes, Thomas Smith, and William Crispin.

Resolved, That each bill be signed, and numbered by two of the foregoing gentlemen.

A petition from Mr. Phelps, was presented and read.

Ordered, To be taken into consideration to Morrow.

The Committee appointed to receive the applications and examine the qualifications of persons applying for offices, &c. reported Dr. Boyd as proper to be surgeon to the regiment raised in Pensylvania, and Mr. Patterson to be adjutant to said Regiment: Whereupon,

The Congress concurred in the choice of Doctor Boyd.

A petition from D[avid] Beveridge, was laid before Congress and read,

Resolved, That the same be referred to a Committee of three.

The members chosen, Mr. [John] Jay, Mr. [George] Read, and Mr. [Thomas] Jefferson.

Resolved, That an order be drawn on the treasurer in favour of the Committee of Correspondence, for the sum of 3,000 dollars.

Resolved, That to Morrow Morning be assigned to take into consideration that part of the report of the Committee of Conference respecting Boston.

A letter from the commissioners for Indian Affairs in

the southern district with sundry enclosures, being received were read.

The Committee on the credit of the paper currency, brought in their report.

The several matters to this day referred, being postponed,

Adjourned to ten o'Clock to Morrow.

TUESDAY, DECEMBER 12, 1775

On motion, *Resolved*, That the ||intercepted|| letters of Brooke Watson, and the invoice of the Cargo of the brig *Nancy* transport, taken by the schooner *Lee*, Captain Manly, be published.

A letter from Christopher Leffingwell, with sundry enclosures respecting a cargo of molasses, taken out of the Brig *Nancy*, was received and read;¹ Also a letter from the Committee of Trenton, with the parole of the officers there, ||were laid before Congress and read.||

The Committee appointed to prepare letters of thanks to the three general officers in the northern department, brought in draughts, which were read and approved, and

Ordered, ||That they be signed by the president and|| to be transmitted.

The Committee on General Schuyler's letters, brought in their report, which was read.

On motion, *Resolved*, That the allowance for a table, made to the commander for the time being in Canada, be allowed to General Montgomery, from the time he entered Canada.

On motion, *Resolved*, That this Congress will make a present of a sword of the value of one hundred dollars, to

¹ The letter from Christopher Leffingwell, dated Norwich, November 29, is in *Papers of the Continental Congress*, No. 78, XIV, folio 43.

Captain Henry B. Livingston, as a testimony of their sense of his services to this country, and that they will embrace the first opportunity of promoting him in the army.

Resolved, That the sum of 120,000 dollars be advanced to the colony of Rhode Island, in part of their accounts against the United Colonies, to be paid out of the emission last ordered, the said colony to be accountable for the same.

The Congress agreeable to Order, took into consideration the report of the Committee of Conference, respecting Boston, and after debate,

Resolved, That the Congress will, to Morrow, resolve itself into a committee of the whole, to take this matter into consideration.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, DECEMBER 13, 1775

A letter from General Washington dated 4 December, with sundry enclosures, being received, were read.¹

The Committee appointed to devise ways and means for fitting out a naval armament, brought in their report, which being taken into consideration, was agreed to as follows:

That five ships of thirty-two guns, five of twenty-eight guns, three of twenty-four guns, making in the whole thirteen, can be fitted for the sea probably by the last of March next, viz. in New Hampshire one, in Massachusetts bay two, in Rhode Island two, in Connecticut one,

¹ This letter is in *Papers of the Continental Congress*, No. 152, I, folio 305, and is printed in *Writings of George Washington* (Ford), III, 256. The enclosures are with it.

in New York two, in Pennsylvania four, and in Maryland one.

That the cost of these ships, so fitted, will not be more than 66,666 $\frac{2}{3}$ dollars each, on an average, allowing two complete suits of sails for each ship, equal in the whole to 866,666 $\frac{2}{3}$ dollars.

That the materials for fitting them may be all furnished in these colonies, except the articles of canvas and gun powder; and that therefore it will be proper the Congress direct the most speedy and effectual means of importing the said articles of canvas and powder; that of the former, 7,500 pieces will be wanted, and of the latter, one hundred tons.¹

Resolved, That a committee be appointed with full powers to carry the above report into execution, with all possible expedition, (except what relates to canvas and powder) at the expence of the United Colonies.

Resolved, That the appointment of the committee be deferred till to Morrow.

Resolved, That it be an instruction to the Secret Committee to embrace the best and earliest opportunities to procure the quantity of duck and powder in the above report.

Mr. [Thomas] Willing, a member of the Secret Committee, desiring to be excused on account of his living out of town, which rendered it impracticable for him to attend the committee, that usually met in the Evening:

Resolved, That he be excused, and that another be elected in his room.

The member chosen, Mr. R[obert] Morris.

On motion, *Resolved*, That when this Congress shall adjourn, it will be necessary to appoint a committee to

¹ Against these three paragraphs in the "corrected Journals" is written the word "Secret."

sit during the adjournment, for the purpose of superintending the treasury, carrying on necessary correspondence, and such other services as shall be directed by Congress.

Resolved, that a Committee of five be appointed to consider and prepare instructions for the committee above-mentioned.

The members ||chosen,|| Mr. [Thomas] Jefferson, Mr. [William] Hooper, Dr. [Benjamin] Franklin, Mr. [John] Jay, and Mr. [Silas] Deane.

Resolved, That the Committee appointed to fit out armed vessels, be authorised to give able-bodied seamen that may be willing to enter on board the ships of war of the United Colonies, eight dollars per calendar month.

Information being given that sundry persons in this city have lately sold tea,

Resolved, That the consideration of this matter be referred to Friday next.

The several matters to this day referred, postponed,
Adjourned to 10 o'Clock to Morrow.

THURSDAY, DECEMBER 14, 1775

On motion, *Resolved*, That on the meeting of Congress, half an hour every morning be employed in reading the corrected copy of the journal, till the whole is gone through.

Resolved, That every morning the minutes of the preceding day be read, before the Congress enter upon new business.

~~A part of the corrected Journal being read,~~

Ordered, That the journal, as corrected, after being read, be transcribed, in order to be sent to the press.

The Congress, agreeable to the order of the day, pro-

ceeded to the appointment of the committee, for carrying into execution the resolutions of Congress, for fitting out armed vessels.

Resolved, That the said Committee consist of one from each colony.

Resolved, That the choice be by ballot.

The members chosen, Mr. [Josiah] Bartlett, Mr. [John] Hancock, Mr. [Stephen] Hopkins, Mr. [Silas] Deane, Mr. [Francis] Lewis, Mr. [Stephen] Crane, Mr. R[obert] Morris, ~~Mr. McKean~~, Mr. [George] Read, Mr. [Samuel] Chase, Mr. R[ichard] H[enry] Lee, Mr. [Joseph] Hewes, Mr. [Christopher] Gadsden, and Mr. [John] Houston.

The Congress took into consideration a letter received yesterday from General Washington ||of the 4th:|| Whereupon,

Resolved, That the second resolution in the report of the committee on General Washington's letter, relative to transports, be recommitted.

On motion, *Resolved*, That Lieutenant Hay, of the 7th Regiment, who is now a prisoner, have liberty to return to Great Britain, on his parole, not to take up arms against America, during the present dispute between Great Britain and these colonies.

A petition from Peter Berton, was laid before Congress and read.

Resolved, That the said petition, with the papers accompanying it, be referred to a committee of three.

The members chosen, Mr. E[dward] Rutledge, Mr. [Thomas] Lynch, and Mr. [Richard] Smith.

Resolved, That the farther consideration of the General's letter be referred till to Morrow.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, DECEMBER 15, 1775

Information being given to Congress, that Captain Motte, who was entrusted with conducting the prisoners to Reading, and other towns in Pennsylvania, having performed that service, was returned to this city,

Resolved, That the committee appointed to distribute the prisoners, confer with Captain Motte, and report to Congress.

Resolved, That the committee of safety for the colony of Pennsylvania, be requested to recommend proper persons for field officers of the four battalions to be raised in the said colony.

Resolved, That the said committee appoint proper persons for officers in the said battalions, under the rank of Majors.¹

Resolved, That similar orders be given ||to the committee of safety of|| the lower counties on Delaware, for recommending the field officers, and appointing inferior officers, of the battalion to be raised in that colony.

Resolved, That Messrs. George Meade and company, merchants, of the city of Philadelphia, be permitted to export from the colony of Virginia, so much of the produce of that country, as shall be equal in value to any quantity of salt, not exceeding six thousand bushels, which they shall carry and safely deliver there to the committee of safety or their order, who are empowered to regulate the prices of the said produce and salt; and that the said George Meade and company, having given to the delegates of the said colony, in this city, bond with sufficient surety, under a penalty of double the value of the said salt, that they will not carry any produce of the said colony, which they may receive in return for their

¹ Printed in the *Pennsylvania Packet*, 25 December, 1775.

salt, to the islands of Great Britain, Ireland, Jersey, Guernsey, Sark, Alderney, or Man, or to the West Indian islands, and producing to the committee of safety of the said colony a certificate thereof, signed by the said delegates here, shall have a permit under the hand of the chairman of the said committee of safety, to export the said produce, the said permit being to be endorsed on, or annexed to a manifest of the cargo exported.

The Committee appointed to prepare instructions for the Committee who are to sit during the recess of Congress, brought in their report, which was read.

The Committee appointed to consider and prepare instructions for a committee ~~during~~ who are to sit during the recess of Congress have agreed to the following Resolutions:

Resolved, that it is the opinion of this committee that the said Committee during the Recess of Congress should be authorised and instructed

To receive and open all letters directed to the Congress ~~and to give such answers to the same as they shall be authorized to give.~~

To correspond with the several Conventions, Assemblies, or Committees of safety, with the Committee of Congress sent to Canada, the Commissioners for Indian affairs; and the Commanding officers of the Continental forces in the several departments.

To give counsel to the said commanding officers whenever applied to by them.

To supply the Continental forces by sea and land with all necessaries from time to time.

To expedite the striking monies ordered by the Congress to be struck.

To transmit to the several Commanding officers, Paymasters and Commissaries from time to time such sums of money as may be necessary for the pay and subsistence of the Continental forces, and to ~~draw on~~ order payment by the Treasurers for such contracts as the said committee may make in pursuance of the authorities and instructions given them.

To take charge of all Military stores belonging to the United colonies, to procure such further quantities as may probably be wanted,

and to order any part thereof wheresover it may be most requisite for the Common service.

To direct the safe keeping and comfortable accommodation of all Prisoners of war.

To contribute their counsel and authority towards raising recruits ordered by Congress.

To procure intelligence of the condition and designs of the enemy.

To direct military operations by sea and land; not changing any objects or expeditions determined on by Congress.

To attend to the defence and preservation of forts and strong posts and to prevent the enemy from acquiring new holds.

To apply to such officers in the several colonies as are entrusted with the executive powers of government for the aid of their occasional aid of Minute-men and militia whenever and wherever necessary.

In case of the death of any officer within the appointment of Congress, to employ a person to fulfil his duties, if until the meeting of Congress, if unless the office be of such a nature as to admit a delay of appointment until such meeting.

To examine public claims and accounts and report the same to the next Congress.

To publish and disperse authentic accounts of military operations.

To expedite the printing of the Journals of Congress as by them directed to be published.

To summon a meeting of Congress at an earlier day than that to which it may stand adjourned, if any great and unexpected emergence shall render it necessary for the safety or good of the United colonies.

~~To procure intelligence of the Condition and designs of the enemy.~~

And to lay before the Congress at their meeting all letters received by them with a report of their proceedings.

Resolved, that the said Committee be authorized to appoint their own clerk who shall take an oath of secrecy before he enters on the exercise of his office.

Resolved, that in case of the death of any member of the said Committee, they immediately apply to the his surviving delegates of the colleagues to appoint some one of themselves to be a member of the said Committee.

Resolved, that the Treasurers be directed to pay out of the Continental Monies in their hands, all Draughts made on them by the said Committee.¹

¹The original is in *Papers of the Continental Congress*, No. 23, folio 5. All but the last paragraph is in the writing of Thomas Jefferson.

The Committee of Claims reported,

That there is due to Robert Erwin, waggon master, for the carriage of cloathing to Dobb's ferry, the sum of 40 dollars.

That there is due to Philip Livingston, Esq. for printing, &c. the sum of £21.2 = 56.2 dollars.

That there is due for provisions, &c. furnished to the several companies of rifflemen, by sundry persons the sum of £84.16.9 New York currency = 212 dollars, to be paid to Henry Wisner, Esq.

That there is due to the Committee of Observation at Princetown, for sundry expences, and for provisions furnished to several rifle companies, the sum of 74.3 dollars, and that the same ought to be paid to Thomas Higgins.

Ordered, That the said accounts be paid.

The Committee to whom the second resolution, in the report on General Washington's letter ||relative to transports,|| was referred, brought in their report, which was read.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, DECEMBER 16, 1775

A letter from General Washington, dated 7 December, 1775, was read.¹

A letter from the Convention of New York, dated 9th Instant, being laid before Congress and read,

Ordered, That the same be referred to the committee on the continental currency.

Resolved, That the committee appointed to carry into

¹ This letter is in *Papers of the Continental Congress*, No. 152, I, folio 329.

execution the resolutions of Congress relative to a naval armament, be empowered to draw on the Treasurers, from time to time, for any sums not exceeding 500,000 dollars, for carrying into execution the resolutions of Congress.

Resolved, That the Delegates for Maryland and Virginia be a committee to prepare instructions for Col. Irvine.

The Committee appointed to confer with Captain Motte, brought in a report, which was read.

The Committee of Claims reported, that there is due to Josiah Fessenden, for riding express three times to the Camp at Cambridge, and once to Rhode Island, and for expences and horse hire, &c. a balance the sum 126 dollars.

To Daniel King, for ||36 days' || hire of a sulky for said Fessenden, ||the sum of|| 18 dollars.

Ordered, That the same be paid.

Capt. White Eyes, a Delaware chief, who came down with the Commissioners for Indian Affairs in the middle department, being introduced to Congress, the President addressed him in the following manner:

BROTHER CAPTAIN WHITE EYES,

We are glad to see you, and we bid you welcome to this council fire, kindled for all the United Colonies.

We have heard of your friendship for your Brethren, the white people, and how useful you have been in preserving peace and harmony between your nation and us, and we thank you for those services.

We are pleased that the Delawares intend to embrace Christianity. We will send you, according to your desire, a minister and a school-master to instruct you in the principles of religion, and other parts of useful knowledge.

We shall be happy in improving every opportunity that shall offer for convincing your nation, and all the other nations of Indians, of our friendly dispositions towards them.

Before you leave this city, we will give you some particular testimony of our regard for you.

The Congress took into consideration the report of the Committee who conferred with Capt. Motte.

Resolved, That the officers be distributed in such places as are most agreeable to themselves, observing always the former resolutions of Congress on this subject, and that the officers and privates be not stationed in the same places, until the further orders of Congress.

Resolved, That a committee ||of three|| be appointed to confer with Major Preston, and, with him, fix on an agent to negotiate his bills, and, with the money arising from the sale of said bills, to supply the prisoners taken at St. John's with cloathing and other necessaries.

The members chosen, Mr. [Thomas] M'Kean, Mr. R[ichard] H[enry] Lee, and Mr. S[amuel] Adams.

Resolved, That the privates who are prisoners, and have been left by Captain Motte at Lancaster, be allowed to remain in that place till the farther orders of Congress.

Resolved, That a sum not exceeding £30 = 80 dollars be paid to Capt. Motte, being so much advanced and paid by him for necessaries to his men in conducting the prisoners.

Resolved, That the distribution of the prisoners made by Captain Motte is approved.

Resolved, That it be a standing rule of Congress, that no person be allowed to make any motion after twelve o'Clock, without special leave, until the orders of the day are either determined or put off to another day.

A petition from sundry merchants of Philadelphia, was presented and read:

Resolved, That the same be referred to a committee of three.

The members chosen, Mr. [Robert] Morris, Mr. [Thomas] Jefferson, and Mr. [William] Hooper.

The Committee to whom the petition of D[avid] Beveridge was referred, brought in their report, which was read.

Ordered, To lie on the table.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, DECEMBER 18, 1775

The Committee appointed to confer with Major Preston, made report of their proceedings, and that they had not come to a conclusion with Major Preston on the matter referred to them.

Resolved, That Major Preston have leave to go with Captain Motte to Lancaster, and there to remain ten days, if he chuse to remain there so long.

Resolved, That a copy of the resolutions of Congress, relative to the disposal of the prisoners, and of the parole to be signed by the officers, be sent to the committee of inspection of Lancaster; and that an order issue to the said committee to take the parole of the officers there, and transmit the same to Congress.

Resolved, That an order be drawn on the treasurers in favor of Captain Edward Motte, for the farther sum of 80 dollars, he to be accountable for the same.

Sundry affidavits from Wyoming, relative to disturbances there, between the people of Connecticut and Pennsylvania, being laid before Congress and read,¹

After debate, *Resolved*, That the consideration of this matter be referred till to Morrow.

¹ These affidavits are in *Papers of the Continental Congress*, No. 69, I, folios 31-43 and 111. With them is a statement in the writing of Silas Deane, but not signed, giving information on the subject.

Letters from General Schuyler, dated 19, 20, 24 November and 8 December with sundry enclosed papers, being received, were read.¹

Resolved, That they be referred to a committee of three.

The members chosen, Mr. [William] Hooper, Mr. [Thomas] M'Kean, and Mr. [Thomas] Jefferson.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, DECEMBER 19, 1775

Resolved, That the committee of safety for Pennsylvania be requested to supply the armed vessels, nearly ready for sailing, with four tons of gun powder, at the continental expence.

That the said committee be requested to procure and lend the said vessels as many stand of small arms as they can spare, not exceeding 400, to be repaid by the Congress either in kind or value, as the committee may desire.

Resolved, That if the powder and arms that may be supplied and lent to the Continent for the use of the said armed vessels, shall not be replaced on or before the first day of February next, the Congress engages that their whole influence and authority shall then be exerted immediately, to replace the same, by procuring powder and arms from some other part of the continent.

Resolved, That if the powder supplied and lent to the Continent by the city of New York, shall not be replaced on or before the first day of February next, the Congress engages that their whole influence and authority shall

¹A letter dated December 8, is in *Papers of the Continental Congress*, No. 153, I, folio 358. The letter of November 20 is endorsed as received on November 30, and is noted under that date. The other letters are not found.

then be exerted immediately to replace the same, by providing powder from some other part of the Continent.

Agreeable to the order of the day, Congress resumed the consideration of the General's letter, and the report of the committee to whom the 2^d article in the report of the Committee on the General's letters was referred, and thereupon came to the following resolution, which is to be substituted in place of the said 2^d resolution.

Resolved, That all transport vessels in the same service, having on board any troops, arms, ammunition, cloathing, provisions, or military or naval stores of what kind soever, and all vessels to whomsoever belonging, that shall be employed in carrying provisions or other necessities to the British Army or armies, or navy, that now are or shall hereafter be within any of the United Colonies, or any goods, wares, or merchandizes, for the use of such fleet and army, shall be liable to seizure, and, with their cargoes, shall be confiscated.¹

The committee on the qualifications of officers applying, &c. made a report, which was read; and

Ordered, To lie on the table.

The committee on the state of Virginia, brought in a report, which being read,

Ordered, To lie on the table.

A letter from General Washington dated — was laid before Congress and read.²

The sundry papers to this day referred, being postponed, Adjourned to 10 o'Clock to Morrow.

¹ See p. 428 *ante*.

² A letter dated December 11 is in *Papers of the Continental Congress*, No. 152, I, folio 335. It is printed in *Writings of George Washington*, (Ford) III, 270.

WEDNESDAY, DECEMBER 20, 1775

The Committee of Claims report, that there is due to sundry persons for necessities furnished to the rifle companies in Virginia, the sum of £240.4.1½=640.5 dollars, and that the same ought to be paid to Mr. Thomas Rutherford.

To Rebecca Reynolds, for horse hire, 6.9 dollars, and hat the same be paid to Henry Wisner, Esq.

Ordered, That the above be paid.

Resolved, An order be drawn on the treasurers, in favor of the reverend Mr. Elihu Spencer, for the sum of 120 dollars, and in favour of the reverend Mr. Alexander M'Whorter, for the like sum, ||who have undertaken to go to North-Carolina,|| being three months' advance, they to be accountable.

The Congress took into consideration the report of the committee on the petition of David Beveridge, which was agreed to as follows:

Resolved, That the said petition is unreasonable:

Resolved, nevertheless, that for the more speedy arming these colonies, the said David Beveridge be permitted to export a cargo of the produce of America (live stock and lumber excepted) to any part of the world, except Great Britain, the British Island, Ireland, or the British West Indies, on his giving bond, with sufficient security, in double the amount of the said cargo, to the chairman of the committee of inspection of Philadelphia, or to such persons as said committee shall appoint, that he will import, into these colonies, by the first day of June next, the amount of the proceeds of the said cargo, in arms, ammunition, or salt petre, and shall dispose of the same to the Congress, for the use of the United Colonies, at such reasonable prices, as by the committee of inspection

of the place in which the vessel shall arrive, shall be ascertained and determined.

Agreeable to the order of the day, the Congress resumed the consideration of the General's letters, and thereupon came to the following resolution:

Resolved, That the several vessels heretofore taken and carried into Massachusetts bay, by the armed vessels in the service of the United Colonies, be proceeded against by the rules of the law of Nations, and libelled in the courts of admiralty erected in said colony.

Certain instructions given to the president to be observed in answering the General's letters

~~The order of the day with regard to resolving itself into a committee of the whole, to take into consideration the report of the Committee of Conference, respecting Boston, postponed.~~

The Congress, taking into consideration the disputes between the people of Pennsylvania and Connecticut, on the waters of Susquehannah, came to the following resolution:

Whereas a dispute subsists between some of the inhabitants of the colony of Connecticut, settled under the claim of said colony, on the lands near Wyoming, on the Susquehannah river, and in the Delaware country, and the inhabitants settled under the claim of the proprietaries of Pennsylvania, which dispute, it is apprehended, will, if not suspended during the present troubles in these colonies, be productive of pernicious consequences, which may be very prejudicial to the common interest of the United Colonies; therefore,

Resolved, That it is the opinion of this Congress, and it is accordingly recommended, that the contending parties immediately cease all hostilities, and avoid every appearance of force, until the dispute can be legally decided;

that all property taken and detained, be restored to the original owners; that no interruption be given by either party to the free passing and repassing of persons behaving themselves peaceably through said disputed territory, as well by land as water, without molestation of either of person or property; that all persons seized on and detained on account of said dispute, on either side, be dismissed and permitted to go to their respective homes; and that, things being put in the situation they were before the late unhappy contest, they continue to behave themselves peaceably on their respective possessions and improvements, until a legal decision can be had on said dispute, or this Congress shall take further order thereon; and nothing herein done shall be construed in prejudice of the claims of either party.¹

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, DECEMBER 21, 1775

Ordered, That an authentic copy of the resolution passed yesterday, relative to the disputes between the people of Connecticut and Pennsylvania, be transmitted to the contending parties.

The Convention of Maryland having added two new members to their delegates, one of them attending, produced the credentials of their appointment, which were read, and are as follows:

MARYLAND.

ANNAPOLIS, MARYLAND,

IN PROVINCIAL CONVENTION, *December 9, 1775.*

Resolved, That Robert Alexander and John Rogers, Esquires, together with those already appointed, be Deputies to represent this

¹ Printed in the *Pennsylvania Packet*, 8 January, 1776.

Province in the Continental Congress, and that the said Deputies, or any three or more of them, have full and ample Power to consent and agree to all Measures, which such Congress shall deem necessary and effectual to obtain a redress of American Grievances; and be authorized to represent and act for this Province in any Continental Congress, which may be held before the 25th Day of March next.

Extract from the Minutes,

G. DUVAL, *Clerk.*

The Congress took into consideration the report of the Committee on the applications for offices, &c. and the same being debated,

Resolved, That 40 iron pots be provided for the soldiers, while in the barracks near Philadelphia.

Resolved, That the commissioned officers of each company be allowed, every week, a quarter of a cord of hickory, or other wood in proportion.

Resolved, That there be provided for the battalion raised in Pennsylvania, one hundred haversacks, a camp kettle for every six men, a tomhawk, canteen, cartouch box, knapsack, and two belts for each man.

Resolved, That a coat of uniform be provided for each soldier, and that what the coat costs more than the hunting shirt, that was to be given them, be deducted from their wages.

Resolved, That the said battalion be paid one month's pay as soon as may be, that afterwards they receive monthly half a month's pay only, until so much is retained, as will amount to the money advanced for their fire arms, cloathing, &c. after which they shall receive their full pay monthly.

Resolved, That it be recommended to the committee of Safety of Pennsylvania, to provide arms, for the three companies that are ordered to march; and also to provide the articles ordered above for the use of the said battalion,

and likewise to furnish the said battalion with drums, colours and fifes.

Doctor James Holmes was chosen surgeon to Colonel Maxwell's regiment.

Matthias Halsted was elected quarter master to Lord Stirling's regiment.

Resolved, That the foregoing committee be directed to procure proper medicine chests for the battalions raised in Pennsylvania and New Jersey.

The Congress then resolved itself into a committee of the whole, to take into consideration that part of the report of the Committee of Conference, relative to Boston, and after some time spent thereon, the president resumed the chair, and Mr. [Samuel] Ward reported, that the Committee had taken into consideration the matter referred to them, but not having come to any resolution, desired leave to sit again.

Resolved, That this Congress will, as soon as they meet, unless public despatches prevent, ||to Morrow morning,|| resolve itself into a committee of the whole, to take into their consideration, the report of the Committee of Conference, ||relative to the attack on Boston.||

Resolved, That the Committee appointed to confer with Major Preston, ||Mr. [Thomas] M'Kean, Mr. [Richard Henry] Lee, and Mr. S[amuel] Adams,|| be a committee to consider what allowance should be made to the officers who are prisoners, for their support.

Resolved, That Mons^r. Regonville, a Canadian prisoner at Trenton, be permitted to come to Philadelphia, and there wait the orders of Congress.

The order of the day being renewed,
Adjourned to 10 o'Clock to Morrow.

FRIDAY, DECEMBER 22, 1775

A letter from General Schuyler, 14th December, 1775;¹ a letter from Lord Stirling dated, Trenton, 14 December, also a letter from Captain Livingston,² being received, were read.

The Committee appointed to fit out armed vessels, laid before Congress a list of the officers by them appointed, agreeable to the resolutions of Congress, viz.

Ezek Hopkins, Esq^r commander in chief of the fleet.

Captains

Dudley Saltonstall, Esq^r, of the *Alfred*.

Abraham Whipple, Esq^r, of the *Columbus*.

Nicholas Biddle, Esq^r, of the *Andrew Doria*.

John Burrows Hopkins, Esq^r, of the *Cabot*.

1st lieutenants

John Paul Jones,

Hersted [Hoysted] Hacker,

Rhodes Arnold,

Jonathan Pitcher.

— Stansbury,

2^d lieutenants

Benjamin Seabury,

Thomas Weaver,

Joseph Olney,

— M'Dougall.

Elisha Warner,

3 lieutenants

John Fanning,

Daniel Vaughan.

Ezekiel Burroughs,

Resolved, That the pay of the commander in chief of the Fleet be 125 dollars per calendar month.

Resolved, That commissions be granted to the above officers agreeable to their rank in the above appointment.

¹This letter is in *Papers of the Continental Congress*, No. 153, I, folio 362.

²The letter from Henry Brockholst Livingston, without date, is in *Papers of the Continental Congress*, No. 78, XIV, folio 51.

Resolved, That the Committee for fitting out armed vessels, issue warrants to all officers employed in the fleet under the rank of 3^d lieutenants.

Resolved, That the Committee for fitting out armed vessels be directed (as a secret committee) to give such instructions to the commander of the fleet, touching the operations of the ships under his command, as shall appear to the said committee most conducive to the defence of the United Colonies, and [to] the distress of the enemy's naval forces and vessels bringing supplies to their fleets and armies, and lay such instructions before the Congress when called for.

Resolved, That the said Committee be directed to consider how the share of the prizes allotted to the captors ought to be divided between the officers and men, and report to Congress.

Resolved, That a committee of three be appointed to confer with the Indians lately arrived, and report to Congress.

The members chosen, Mr. [George] Wythe, Mr. [Thomas] Lynch, and Mr. S[amuel] Adams.

Agreeable to the orders of the day, the Congress resolved itself into a committee of the whole, to take into farther consideration the report of the Committee of Conference relative to an attack on Boston, and after debate, the president resumed the chair, and Mr. [Samuel] Ward reported, that the Committee had taken into their farther consideration the matter to them referred, and had come to a resolution, which he was ready to report. The report of the committee being read, the same was agreed to as follows:

Resolved, That if General Washington and his council of war should be of opinion, that a successful attack may be made on the troops in Boston, he do it in any manner

he may think expedient, notwithstanding the town and the property in it may thereby be destroyed.¹

Resolved, That the quarter master general have the rank of a colonel in the Army of the United Colonies

The Committee of Claims reported that there is due, To Benjamin Harrison, Esq^r for his expences ||in his late journey|| to Maryland, amounting to £27.3.2=72.4 dollars.

Ordered, That the above be paid.

Ordered, That the papers found with J. Connolly and the examination of said Connolly and the others taken with him, be printed.

Resolved, That Mr. [Thomas] Jefferson, Mr. [William] Hooper, Dr. [Benjamin] Franklin, Mr. [John] Jay, and Mr. [Silas] Deane, be a committee to examine the journals, and lay before Congress a list of the matters that are therein unfinished, and which are proper to be acted upon.

The orders of the day being renewed,
Adjourned to 10 o'Clock to Morrow.

SATURDAY, DECEMBER 23, 1775

A letter from Lord Stirling 19 December, being received, was read.²

A petition from Seth Paddock, master of the sloop *Mayflower*, and Sylvanus Coffin, master of the schooner *Dolly*, of the island of Nantucket, being laid before Congress, was read:

Resolved, That the said petition be referred to a committee of three, and that it be an instruction to said committee, to enquire what quantity of provisions and fuel is

¹ Against these paragraphs in the "corrected Journals," was written the word "Secret."

² This letter is in the *Papers of the Continental Congress*, No. 162, folio 356.

necessary for the internal consumption of the inhabitants of said Island of Nantucket for one year, and what quantity has been exported to said island from different ports of the United Colonies, during the month of December.

The members chosen, Mr. [Thomas] M'Kean, Mr. [Benjamin] Harrison, and Mr. [Roger] Sherman.

Mr. Langdon, one of the committee appointed to repair to Ticonderoga, and confer with General Schuyler, being returned, laid before Congress a report of their proceedings, which was read.

Report of the Committee directed to repair to Ticonderoga and Confer with General Schuyler about Several Matters relative to the publick Service, To take a Survey of, and Report the state of the Fortification in the high lands and to use their endeavours to procure an accession of the Canadians to a Union with these Colonies.

Your Committee beg leave to Report, that Agreeable to the directions of the Congress they repair'd to the fortress in the highlands on the 17th day of November; for the state in which they found it, and their observations there upon, they refer the Congress to their letter of the 22^d day of the same month, but they cannot help, again recommending, with the utmost earnestness, the sending some persons well Acquainted with fortifications, to take a Survey not only of the works, but of the whole river, from Tellers point, to the North end of the highlands, as your Committee are perswaded that the fortress now erecting will by no means be sufficient to secure Hudson's River, if it should be attacked by any Considerable force. Your Committee beg leave farther to hint, at the propriety of Obstructing the Channel at least lessening the depth of water since they have been Credibly informed, that the River carries twenty five feet of water, to within Twelve Miles of Albany, and tho' it is out of their Department they cannot but wish to turn the Attention of Congress to such Obstructions in the Narrows, dureing the winter season when our enemies ships will be out of our ports, as will effectually secure the whole Province of New York; tho' they are by no means Satisfied of its practicability, yet they would Submit it to the Congress, whether it may not be worth their enquiry. Your Committee farther Report,

that they met with General Schuyler, on the 28th day of November at Ticonderoga, and spent some days with him, in Conferring on the Subjects, about which they were directed to enquire, that they learned from him the following facts, that General Montgomery in order to overcome the Scruples of the Troops, and to induce them to follow him to Montreal, about which they hesitated, on Account of the Advanced season, was under a Necessaty of engageing, that after the Reduction of that place, those who chose it should be at liberty to return, That in Consequence of this promise, Colonel Warner with his green mountain Boys Returned, tho' the time of their enlistment did not expire, till the first of January, That about one Regiment of the York Troops have been and are still employed at Crown point, at Ticonderoga, at the different posts between that and New York, and as batteau-men on the lakes, that the remaining three Regiments, together with Capt. Lambs Comp^y of Artillery, did not at the beginning of the Campaign exceed Eighteen hundred men that their number had been considerably lessened, by death sickness Desertion and escorts for Prisoners, and that tho' few of the remainder had accepted of the permission to return, yet there were not left above one thousand men in Canada, who from the best information, your Committee could receive from the General, or otherwise, have for the most part Reinlisted; that of the Troops from the several New England Governments who went into Canada, all had Returned, before your Committee Arrived at Ticonderoga, except about two hundred who had reinlisted; Their departure before the expiration of their Term, was Occasioned, by their fear of being detain'd in Canada, by the Severity of the weather, and the reasonableness of allowing them to return to their respective homes, before they were discharged, That Colonel Arnold, had with him ab^t five hundred and fifty men, the rest of his party haveing left him on his way, into Canada, so that the whole number of Troops now in that Province, may be ab^t Seventeen hundred men, without makeing any deduction for non effectives; but of these facts, we are by no means fully Certified, as General Schuyler has no returns of the Numbers; we assert them as Reports, Collected from such Officers, who have returned, and we hope however, shortly to have a more Accurate Account, as the General has wrote for it to General Montgomery.

As absolute Necessity has obliged General Schuyler to direct the reinlistment of the Troops, in Canada before he received any other

direction on this head than what was Contained in your general orders, your Committee found that work in a great measure Concluded, by General Montgomery tho not in such a manner as to be strictly Conformable to the intentions of the Congress the Generals having Construed your Promise in your first letter on that Subject "that you would see the Troops furnished with Cloathing" in its literal Sense; procured Cloathing at Montreal, which they delivered as a bounty, without making any deduction for it from their wages, whether without this, they could have been reinlisted, your Committee have not been able to learn, but are Convinced, of the impossability of their Remaineing any longer in that Country in the Situation they then were, some of them being half naked, and those of the New York Troops, who are best Clad, haveing only a Coat, nearly worn out, and linnen under Cloaths. Your Committee would also farther Submit it to the Congress, whether it would be quite equitable, that in a Country where the Soldiers require a Double quantity of Cloathing, they should be obliged to pay for it, especially when we Consider, that their duty has been and still is inconceivably more Severe, than the rest of the Continental Army have experienced, your Committee have however endeavoured, as far as lay in their power to remedy this Mistake, tho' they fear their endeavours will prove ineffectual; they have directed General Montgomery, not to publish the resolution of the Congress relative to the two months pay, which was proposed as a Bounty to those Soldiers who reinlisted, but to apply the Same toward Cloathing the Troops. Your Committee are apprehensive, however, that their direction will come too late as General Schuyler had sent a Copy of that part of the instructions to general Montgomery some time before your Committee arrived. If this should unhappily be the case, your Committee are of Opinion that the promises made to the Troops by the General should be litterally complied with, with which Opinion they have taken the liberty to Acquaint General Montgomery, by a letter, the Copy of which is inclosed.¹

Your directions with respect to raiseing a Canadian Regiment had been Complied with before the Arrival of your Committee, and the Command given to Colonel James Livingston; it is however much doubted whether he will be able to compleat it early, as the bulk of the Canadians are farmers and tho' prompt at a short disultory war, yet have some reluctance to more permanent engagements.

¹ A copy of this letter, in the writing of John Langdon, is in *Papers of the Continental Congress*, No. 166, folio 13.

Your Committee have endeavoured to learn the inclination of those Troops who are employed upon the lakes, at Ticonderoga and fort George, with respect to their reinlistment. But from what they can learn of their Sentements Few of them will enter into the Army again. At least not immediately, and express a Disgust at the Service, which Arises chiefly from their haveing been employed rather as labourers than Soldiers. Your Committee cannot but Observe that a number of batteau men hired for that purpose, and Consisting of persons Acquainted with the Service, would have saved the Continent a Considerable sum of money and greatly expedite[d] business, and would Recommend, if our operations in Canada continue another Year, the empowering the General or quarter master to hire so many as they may deem necessary.

Your Committee found that the directions of Congress with respect to provisions were already Complied with, and have the pleasure of Assure^d them, that the quantity taken in Canada will be sufficient for the subsistence of our Troops there, till spring, after which they must be supplied from the Province of New York or the adjacent Colonies, with every article except bread, which may be procured in Canada.

Your Committee have directed the immediate Transportation of the Cannon from St Johns and Ticonderoga, which are not wanted for the defence of those places, and the boats on lake George are now employed in bringing over, those that lay at the landing, it being impracticable to move the rest till there is snow enough to admitt of their being Carried on Slays. Mr Knox is gone to Ticonderoga, to Chuse such Cannon as will be wanted at Cambridge, and your Committee have directed those that remain to be Transported to Albany as soon as the snow shall render it practicable. There are a number of Iron wheels for Carriages at Ticonderoga such as are not wanted there, your Committee have directed to be sent to Albany.

Tho' General Schuyler, had before he received the direction of Congress endeavoured to purchase the Arms, of such as quitted the Service, yet he has been able to procure but few. Those obtained of the New York forces are the property of that Province and must be Accounted for to them, such as are at Ticonderoga which may be between four and five hundred are ordered down to Albany in order to be refitted.

Your Committee beg leave to observe, that much would be saved to the Continent, by the Appointment of some person in each Army, who

should have the inspection of the Arms, take a list of them when sent to Armorsers and see that no more, was charged as done than what they really wanted; and have Accordingly Recommended the nomination of a Conductor of Artillery to the General till the pleasure of the Congress was known. Your Committee would further Observe, that their inspection of the Barracks, and the Complaints of the men have Convinced them, that they have suffered greatly for want of bedding, the small blankets they have received, being insufficient to keep them warm in this Severe Climate. They have therefore recommended that the damaged Tents at Ticonderoga, should be cut up and sacks made for the cribs in the barracks one for every two men, and would further propose to the Congress that all the rest of the Tents, which are nearly worn out (which is the case of most of those used at St. Johns, where the Soldiers were under a necessity of slitting and making fires in them) be immediately made up into Sacks for the different garrisons; and Canvas purchased in Canada for Replacing the Tents. Your Committee and the General see in a Strong point of view, the Necessity of a Barrack Master and Store keeper to each Garrison, and would Recommend their Appointment.

Your Committee Observe with Concern that infinite Mischief has Arisen from the want of Regimental paymasters, which has induced a necessity of Trusting large sums of money with Captains and other Officers, some of whom are incapable of keeping Acc^{ts}, and some others, ought not perhaps to be trusted, and it frequently happens, that tho' the Colonies are in Advance to the Captains, yet they are greatly in Arrears to the men, who are from hence disgusted with the Service, and Clamorous against their Superior Officers, besides that it Confuses the Accounts, and imposes a Duty on the Captains for which no Allowance is made them, your Committee therefore Recommend the immediate appointment of a Gentleman properly quallified for this Office in every Regiment with a Salary which shall induce men of Character to undertake it.

Your Committee upon Confering with General Schuyler are inclined to believe, that the repairing of the fortification of Crown point, would be very expensive, and at the same time of very little use; they would therefore Recommend, that the whole labour, which can be afforded, be employed on Ticonderoga, but imagine very little can be done this winter, unless a part of the new levies should be stationed there, in which Case they might prepare the wood, and have it ready against

the Spring; but as the preservation of that post will depend more upon it's receiveing early Reinforcements, than on any Strength of it's own, and as Supplies by way of lake George, may be very easily intercepted, if the Army of the enemy is much Superiour to the Garrison, Your Committee would Recommend, that a Communication, be opened between Skeensborough and fort Ann, which last is distant from fort Edward ab^t Twelve miles, this we are informed may be done without any Considerable expence, by Clearing wood Creek, that empties itself into the lake at Skeensborough in which case the earliest Assistance, may be Received from New York, and the Adjacent Colonies, and that too in a way which the enmy cannot easely prevent; your Committee have given no directions on this head, as there is Sufficient time, to take the Sense of the Congress before any thing need be done.

General Schuyler is of opinion that four Companies are Necessary to Garrison the posts of Ticonderoga, and Fort George, and that not less than Three Thousand men be kept up in Canada dureing the Winter, as well in order to be prepared for a Spring Campaign, as to erect such works, as may be Necessary for the defence of that Province in this Opinion Your Committee Concur, and would recommend, the immediate raiseing three regiments including four Companies for which Warrants are already granted, and sending them up in different Detachments, when they are properly equiped in order to be forwarded over the ice, as soon as the lake takes [*some words omitted*] which may be about the Beginning of February. Your Committee finding that all Matters relative to the Army in Canada had been settled before their Arrival, and Concluding from the hurry of Military Operations in that Province and the little Assistance they could receive from General Montgomery while he was imployed in a siege, that their Journey there, would be of little use to the publick, declined going into Canada, especially as at this Season they could not have proceeded without the greatest difficulty and hazard, they therefore concluded by a letter to General Montgomery to inform the Canadians of the Sentements of Congress, when he should find a proper Opportunity to Communicate them and to pave the way, for the Reception of any Committee, that the Congress might think proper to send, when the ice should render the Journey more practicable, and when it may probably be attended with Salutary effects. A Copy of which letter Marked No. 1 is annexed.

General Schuyler informs your Committee that he has made a

Return to Congress of the Cannon and other stores at St. Johns, Crown point, Ticonderoga and Fort George they think it therefore unnecessary to Trouble the Congress with them.

ROB^t TREAT PAINE
JOHN LANGDON¹

The Committee of Claims reported that there is due,
To Ephraim Blaine, for expenses incurred by the Treaty with the Western Indians, and paid by him, the sum of £533.19.4½ = ——— dollars; that there is due to Ephraim Steel, for sundries furnished two rifle companies, the sum of £14.8.0 = ——— dollars, which ought to be paid to the said Blaine; and also 4s 8, due to John M'Kee, of which two last sums there ought to be charged to the continent, the sum of £5 [= 13.3 dollars,] for the two cwt. of lead, and the remainder to the companies respectively, the whole being equal 1,462.9 dollars.

Ordered, That the above be paid.

The Committee to whom the application from the Convention of the colony of New York, for the loan of £45,000 was referred, brought in their report, which being read, was agreed to as follows:

That notwithstanding it appears to this committee that the credit of the colony of New York is unquestionable, and their application for the loan of £45,000 was suggested by disinterested principles, yet, that it would not be advisable, in the opinion of this Committee, for the Congress to make the loan proposed.

The Committee appointed to confer with the Indians, made report of their proceedings, which was read.

Whereas the colony of Connecticut has, by a certain act of their assembly, resolved that no further settlements be made on the lands disputed between them and Pennsylvania, without license from the said assembly,

¹ This report is in the writing of John Langdon. It is in *Papers of the Continental Congress*, No. 166, folio 1.

Resolved, That it be recommended to the colony of Connecticut not to introduce any settlers on the said lands till the further order of this Congress, or until the said dispute shall be settled.¹

The Committee on the state of the treasury brought in a report, which being read, and in part debated,

The farther consideration thereof postponed.

The Committee appointed to consider what articles are necessary for the army, brought in their report, which was read.

The Committee appointed to enquire what Articles are necessary for the Army beg Leave to report that in their Opinion the following Goods and Stores are absolutely necessary and ought to be imported as soon as possible, viz^t:

	Sterling.
60,000 striped Blankets, suppose 5/	£15,000
120,000 y ^{ds} of 6/4 Broadcloth, the Col ^r to be brown and blue from 3/ to 6/ per y ^d average 4/	24,000
10,000 y ^d Ditto of different Colours for facing at 4/	2,000
3,000 p ^a Duffield or some such Cloth at 90/ p ^a	13,500
100 m sorted Needles 5/	25
50 m Do none very fine 5/	12. 10
10 Do for sail cloth 10/	5
3,000 p ^a Ravens Duck 25/	3,750
3,000 p ^a Ticklenburgh 65/	9,750
1,500 p ^a Osnabrugs 55/	4,125
1,000 p ^a Vitrey (a french manu ^r) 55/	2,750
4,000 p ^a hamburg Dowless 20/	4,000
20,000 Stands of Arms 25/	25,000
300 tons Lead £18	5,400
1,000,000 Flints 5/ p ^r m	250
1,500 Boxes Tin 40/	3,000
iron wire properly sorted for it	500
medicines, Surgeons Instruments, lint and bandages ..	2,000
500 Sheets Copper of different sizes aver ^e at 36/	900
Sterling	£116,467. 10

¹ Printed in the *Pennsylvania Packet*, 8 January, 1776.

Your Com^{ms} having also taken into Consideration the best Ways and Means for supplying the continental Treasury with Silver and Gold beg Leave to report that the Sum of 160,000 Dollars be laid out in the Produce of these Colonies and exported agreeable to the Resolves of this Congress to proper Ports in Europe and the West Indies and there disposed of for Gold and Silver to be Imported into the Continental Treasury as soon as may be.¹

The Committee appointed to examine the Journals, &c., brought in their report, which was read.

The Committee appointed to consider the petition of Peter Berton brought in their report, which being read, was agreed to, as follows:

That they have taken the petition into consideration, and after mature deliberation had thereon, they are of opinion that it is not advisable or proper for the Congress to grant the prayer of the said petition.

Ordered, That the delegates of Pennsylvania call on the treasurers, and enquire what sum of hard money they have collected, and report thereon to Congress.

Resolved, That the Committee appointed to confer with the Indians conclude their conference with them with a friendly answer, and make them a small present.

||The committee appointed to examine the journal, &c. laid before Congress a list of the several matters therein, which are yet unfinished.||²

The Committee appointed to examine the journals and state what business is remains still before Congress unfinished, have agreed to the following report.

~~Report of the proposed Articles of Confederation (adjd from August last)~~

The Report of the Committee appointed to draw instructions for a Committee during Recess of Congress is on the table.

¹ Endorsed: "Report of the com^{ms} appointed to consider what articles are necessary for the army. Dec^r 23, 1775, in part agreed to, the last paragraph postponed." The original is in the *Papers of the Continental Congress*, No. 21, I, folio 1. See Journals, 8 January, 1776, *post*.

² As in the "Corrected Journal," but is a paraphrase of the section printed above.

The Committee ~~was~~ appointed to draw an answer to some ministerial proclamations have ~~who~~ reported an answer to one of them only. ~~The Committee was appointed to draw instructions to Cole Irwin who have not yet reported.~~

Part of the report of the Committee appointed to take into their consideration the [state of the Co]lony of Virginia is on the table.
a report of the committee appointed to consider the information against persons refusing Continental currency is on the table.
~~a report from the same committee who were also instructed to consider an application from the Convention of N. York~~

the Committee ~~was~~ appointed to consider a petition from sundry in for supplying the island of Grenada with lumber ~~who~~ have made no report.

~~part of a report from the Committee of the whole on the trade of the United colonies is still on the table and the Committee has leave to sit again~~ have not closed their report.

the report of a Committee appointed Nov. 23 to consider certain letters from General Schuyler is on the table

the Committee ~~was~~ appointed to consider the petition of Berton ~~who have made no report~~ have laid in their Report

the report of the Committee appointed to confer with the Indians now in this city ~~have made no report~~ is on the table

the report ~~from a~~ of the committee appointed Dec. 18 to consider certain other letters from General Schuyler is on the table

A report from the Committee appointed to prepare a plan for establishing expresses is on the table.¹

part of a report from the Committee appointed to confer with mr Kirkland is still on the table.

A Committee appointed Nov. 23 to enquire into certain frauds have not made a final report.

the report of the Committee appointed to consider Dow's letter and the Indian treaty, ~~and the subject of Indi~~ is still on the table.

two Brigadier-generals remain to be appointed

an Information against persons selling tea is yet to be considered.²

the report of the Commissioners for Indian Affairs in Middle department is on the table

¹Postponed till Dr. F can make Enq^y

²To this point the report is in the writing of Thomas Jefferson. The five following paragraphs are in the writing of Charles Thomson.

the report of the Commissioners for Indian affairs in Southern department is on the table

the report of the Committee on Lord Sterlings letter is on the table

the report of the Committee on the vessel taken in New Hampshire is on the table

~~the report of the Committee appointed to repair to Ticonderoga and confer with gen Schuyler is on the table.~~

~~Report of the Secret Committee of [] of Articles Necessary for supplying The Army (lies on the table)~~

~~Committee for devising Ways and Means for Supplying the Indian Nations with Goods (Not yet Reported)~~

~~Committee for enquiring after Virgin Lead and Leaden Oar also of the Cheapest Method of Making Salt appointed before the Adjournment (not yet reported)~~

In Addition to the above there is the following Business unfinished
Report of the proposed Articles of Confederation—(Reported before the last Adjournment)

Report of Secret Committee of Articles Necessary for supplying the Army—(lies on the Table)

Committee for devising Ways and Means for supplying the Indian Nations with Goods (not yet reported)

Committee for inquiring after Virgin Lead, and Leaden Oar also after the cheapest method of making Salt (appointed before the Adjournment not yet reported)

Ordered, That the several committees to whom any matters are referred, conclude their business with all convenient despatch, and report to Congress.

Ordered, That the 2^d paragraph in General Schuyler's letter, of the 14 December, ||relative to the measures taken by the ministerial agents, to engage the Indians in a war with these colonies,|| be published.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Tuesday next.

TUESDAY, DECEMBER 26, 1775

Two letters from General Washington, dated the 14 and 16 December, 1775,¹ with an enclosed letter from Dr. Morgan, a letter from Governor Trumbull, dated 20 December, with a resolution of the Assembly of that colony ||of Connecticut,|| also a letter from sundry masters of vessels, dated Guadaloupe, September 19, 1775, were laid before Congress and read.

The Deputy muster master general sent to Congress sundry Muster rolls of the Pennsylvania Battalion and others.

Ordered, That the Deputy muster master General be directed to ||repair to New-Jersey, and|| muster the battalions raised in New Jersey, and return the rolls to Congress.

Resolved, That Friday next be assigned for taking into consideration the propriety of opening the ports of the United Colonies after the 1st day of March next.

||The Congress took into consideration the report of the committee on the state of the treasury, and thereupon came to the following resolutions:||

Whereas an estimate hath lately been formed of the public expence already arisen, and which may accrue in the defence of America, to the 10 day of June next, in pursuance whereof this Congress, on the 29 day of November, resolved that a farther sum of three millions of dollars be emitted in bills of credit,

Resolved, Therefore that the thirteen United Colonies be pledged for the redemption of the bills of credit so directed to be emitted.

¹ These letters are in *Papers of the Continental Congress*, No. 152, I, folios 339 and 347. The former is printed in *Writings of George Washington*, (Ford) III, 274. The letter of Morgan is in No. 152, I, folio 343.

That each colony provide ways and means to sink its proportion of the said bills, in such manner as may be most effectual, and best adapted to the condition, circumstances, and equal mode of levying taxes in each colony.

That the proportion or quota of each respective colony be determined according to the number of inhabitants, of all ages, including negroes and mulattoes in each colony.

That it be recommended to the several assemblies, conventions, or councils, or committees of safety of the respective colonies, to ascertain, by the most impartial and effectual means in their power, the number of inhabitants in each respective colony, taking care that the lists be authenticated by the oaths of the several persons who shall be entrusted with this service; and that the said assemblies, conventions, councils, and committees of safety, do respectively lay before this Congress a return of the number of inhabitants of their respective colonies, as soon as the same shall be procured.

That each colony pay its respective quota in four equal payments; the first to be made on or before the last day of November, 1783; the second, on or before the last day of November, 1784; the third, on or before the last day of November, 1785; and the fourth or last, on or before the last day of November, 1786; and that, for this end, the several assemblies or conventions provide for laying and levying taxes in their respective colonies, towards sinking the continental bills; that the said bills be received by the collectors in payment of such taxes, and be by the collectors paid into the hands of the provincial treasurers, with all such other monies as they may receive in lieu of the continental bills; which other monies the provincial treasurers shall endeavour to get exchanged for continental bills; and when that cannot be done, shall send to the continental treasurers the deficiency in gold and silver,

with the bills, making up the quota to be sunk in that year; taking care to cut, by a circular punch of an inch diameter, an hole in such bills, and to cross the same, thereby to render them unpassable, tho the sum or value is to remain fairly legible; and the continental treasurers, as fast as they receive the said quotas, shall, with the assistance of a committee of five persons, to be appointed by the Congress, if sitting, or by the assembly or convention of the province of Pennsylvania, examine and count the continental bills, and, in the presence of the said committee, burn and destroy them; and the silver and gold sent them to make up the deficiencies of quotas, they shall retain in their hands, until demanded in redemption of continental bills, that may be brought to them for that purpose; which bills, so redeemed, they shall also burn and destroy in the presence of the said committee; and the treasurers, whenever they have silver or gold in their hands for the redemption of continental bills, shall advertise the same, signifying that they are ready to give gold or silver for such bills, to all persons requiring it in exchange.

The reports of the committees on General Schuyler's letters, and the report of the Committee sent to Ticonderoga, being read,

Resolved, That the same be recommitted to Mr. [John] Dickinson, Mr. [Thomas] M'Kean, Mr. [George] Wythe, Mr. [William] Hooper, Mr. [Thomas] Jefferson, and Mr. [John] Langdon.

The report of the committee, to whom was referred a paragraph of Lord Stirling's letter to the Congress, complaining that several of his recruits had been arrested and imprisoned for trifling debts, being taken into consideration, was agreed to as follows:

This Committee hath reason to believe, that divers

persons, either from inattention to the public good, or with design to retard the recruiting service, have arrested and imprisoned, for very trifling debts, many soldiers, who had engaged to risque their lives in defence of the rights and liberties of America; and, as it has always been found necessary, in time of war, to regulate and restrain a practice of such pernicious tendency. and in such cases, to abate the rigors of the law:

Resolved, therefore, That it be recommended to the several legislatures in these colonies, whether assemblies or conventions, to pass acts or ordinances, prohibiting the arrest of continental soldiers for small debts; and in order that the same rule may pervade all the colonies, that no such soldier be arrested at the suit of any of his creditors, unless the said creditor makes oath, that the said soldier is justly indebted to him in the sum of thirty five dollars over and above all discounts; and that the estate of no such soldier be liable to attachment at the suit of, or for the benefit of all his creditors, unless their debts in the whole, on being ascertained by their oaths, shall amount to more than one hundred and fifty dollars.

Resolved, That the several letters received from Lord Stirling, be referred to a committee of three, who having taken the same into consideration, are directed to report an answer.

The members chosen, Mr. [Samuel] Adams, Mr. W[il-
liam] Livingston and Mr. [John] Jay.

Resolved, That the battalion raised in Pensylvania, be supplied with gun brushes, pricklers, double worms, screw drivers, and oil; and that it be recommended to the committee of safety of the said colony to provide the same.

Whereas this Congress, by a resolution passed the 15th day of July last, did direct that every vessel importing into these colonies, gun powder, salt petre, sulphur, and

other military stores therein specified, within nine months from the date thereof, should be permitted to load and export the produce of these colonies, to the value of such powder and stores aforesaid, the non-exportation agreement notwithstanding, by permits from the committees of the several colonies; to the end, therefore, that this Congress may be the better informed of the quantity of military stores, which are or shall be so imported, and of the produce exported in consequence of the resolution aforesaid.

Resolved, That it be recommended to all committees by whom any permits, under the said resolution, have been or may be granted, to transmit to this Congress, from time to time, a true account of the military stores, &c. imported, and of the produce exported, with the price and value of both.

Ordered, That the foregoing resolution be published.¹

The Committee appointed to prepare instructions to [lieut.] Col. Irvine brought in a draught, which being read, was agreed [to].

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, DECEMBER 27, 1775

A letter from the committee of inspection of the town of Lancaster, dated 21 December, 1775, enclosing parole of the officers there, being received, was read.²

Resolved, That a committee of three be appointed to confer with Captain Motte, and consult with him on the best method of providing the guard under his command with provisions on their return home.

The members chosen, Mr. [Thomas] Cushing, Mr. [Silas] Deane, and Mr. [Thomas] Lynch.

¹ This resolution was printed in the *Pennsylvania Packet*, 1 January, 1776.

² This letter is in *Papers of the Continental Congress*, No. 69, I, folio 45.

The Congress then took into consideration the report of the committee on the state of Virginia, and after debate, at the request of a colony, the farther consideration thereof was postponed till to Morrow.

The committee appointed to confer with Captain Motte, brought in their report, which being read, was agreed [to] as follows:

That they find some of said guard have upwards of 240 miles to march: that they will be content with 8 dollars each, and bear their own expences to their respective homes, or to be supplied by a commissary, or [any] other ways as the Congress shall judge best.

It is therefore the opinion of the Committee, that the said guard receive a sum not exceeding 8 dollars each, in lieu of all other provision for their return:

Resolved, That Captain Motte be empowered to pay to his guard for the purpose aforesaid, a sum not exceeding 8 dollars to any one, according to the respective distances they have to go, and that he return to the Committee of Claims, a list of his men, and an account of the payments to them made.

Adjourned to 10 o'Clock to Morrow.

THURSDAY, DECEMBER 28, 1775

The Committee of Claims reported, that there is due to Sacheverel Wood, the sum of £34.9.0=91 9/10 dollars, for the support [of] 17 men to the 21st December, [who are] confined in the gaol of Philadelphia, by order of Congress.

Ordered, That the same be paid.

Resolved, That an order be drawn on the treasurers in favor of Mr. [George] Wythe, ||one of the committee appointed to confer with the Indians,|| for the sum of £5[=13 1/3 dollars,] as a present to the Indians.

Resolved, That an order be drawn on the treasurers for the sum of 8,000 dollars, in favor of the committee of safety of Pennsylvania, for the use of the battalion raised in the said colony, the said committee to be accountable ||for the same.||

The Congress resumed the consideration of the report of the committee on the state of Virginia; and after debate, the Congress came to the following resolution:

Resolved, That six battalions are necessary to be immediately raised in Virginia, and that they be raised accordingly, upon the same terms, and paid as the continental forces in the camp at Cambridge, unless the convention of that colony can raise them on better terms.

The Congress took into consideration the report of the Secret Committee, and after debate, the farther consideration thereof was postponed till to Morrow.

Resolved, That a committee of 5 be appointed to take into consideration the state of New York, and report to Congress.

The members chosen, Mr. [Thomas] Lynch, Mr. [Silas] Deane, Mr. [George] Wythe, Mr. W[illiam] Livingston, and Mr. [John] Jay.

The committee to whom the petition of Captain Paddock and Captain Coffin was referred, brought in their report, which was read.

Adjourned to 10 o'Clock to Morrow.

FRIDAY, DECEMBER 29, 1775

A petition of Captain Sellick was presented to Congress and read:

Resolved, That the said petition, with the papers accompanying it, be referred to a committee of three.

The members chosen, Mr. [Richard] Smith, Mr. [William] Floyd, and Mr. F[rancis Lightfoot] Lee.

A petition from a number of the Inhabitants of Pennsylvania, being read,

Ordered, To lie on the table.

Information being given ||to Congress|| of a quantity of arms and ammunition which may be procured,

Resolved, That a committee ||of three|| be appointed to enquire farther into this matter.

The members chosen, Mr. [Thomas] M'Kean, Mr. [John] Jay, and Mr. [Thomas] Lynch.

Agreeable to the order of the day, the Congress resolved itself into a committee of the whole, to take into consideration the trade of the United Colonies, and after some time spent thereon, the president resumed the chair, and Mr. [Samuel] Ward reported, that the committee had taken into consideration, the matter to them referred, and had come to certain resolutions, which he was ready to report.

The report of the committee being read, the Congress took the same into consideration, and, thereupon, came to the following resolutions:

Resolved, That the colonies of Virginia, Maryland, and North Carolina, be permitted to export produce from their respective colonies, to any part of the world, except Great Britain, Ireland, the islands of Jersey, Guernsey, Sark, Alderney and Man, and the British West India islands, and in return to import so much salt from any part of the world, not prohibited by the Association, as the conventions or councils of safety of the two former colonies, and the provincial council of the other shall judge necessary, for the use of the inhabitants thereof, now suffering great distress by the scarcity of that necessary article, proper caution being taken to prevent any abuse of this indulgence, by exceeding in the quantities exported or imported, and that no provisions, staves, or

naval stores be exported, if other commodities may answer the purpose.

Resolved, That as the importation of any universally necessary commodity, and the exportation of our produce, to purchase the same, must give a proportionably greater opportunity to our enemies of making depredations on the property of the inhabitants of these colonies, and of occasionally distressing them by intercepting such commodities, it is earnestly recommended to the several Assemblies or conventions immediately to promote, by sufficient public encouragements, the making of salt in their respective colonies.¹

Ordered, That the foregoing resolution be immediately published.

The Committee on Indian trade, brought in their report.

The Committee on Lord Stirling's letters, also brought in their report.

A letter, from the committee of correspondence, in Virginia, dated the 16 December, was laid before Congress, and read :

Ordered, To lie on the table.

The order of the day being renewed, and the several other matters to this day referred, being farther postponed, Adjourned to 10 o'Clock to Morrow.

SATURDAY, DECEMBER 30, 1775

Two letters from General Washington, 19 [18] and 21 December, enclosed a copy of a letter to general Howe, and accompanied with a number of intercepted letters, being received and read,²

¹ This paragraph was printed in the *Pennsylvania Packet*, 1 January, 1776.

² These letters are in *Papers of the Continental Congress*, No. 152, I, folios 351-367. The first is printed in *Writings of George Washington* (Ford), III, 285.

Resolved, That they be referred to a committee of five.

The members chosen, Mr. [Thomas] Lynch, Mr. [William] Hooper, Mr. [George] Wythe, Mr. Silas Deane, and Mr. S[amuel] Adams.

A letter from General Schuyler 21 December, being received, was read.¹

A letter from General Washington, dated 14th December, being delivered by two strangers, was read.

Resolved, That the same be referred to the Secret Committee, who are directed to confer with the bearers, and pursue such measures as they may think proper for the interest of the United Colonies.²

Resolved, That Major Preston have leave to go to Amboy to visit his uncle who lives there, and to remain in that place one week, and then return to Philadelphia, and wait the orders of Congress.

The Committee appointed to enquire into the grounds of the information, respecting a quantity of arms and ammunition being to be procured, report, that they have examined into the same, and have received intelligence that a quantity of arms and ammunition, and other articles are concealed in Tryon county, in which also there are several Tories armed and inlisted in the enemy's service: Whereupon,

Resolved, That the said committee be directed to communicate the said intelligence to General Schuyler, and in the name of the Congress, desire him to take the most speedy and effectual measures for securing the said arms

¹ This letter is in *Papers of the Continental Congress*, No. 153, I, folio 366.

² The two strangers were Penet and Pliarne, from France, who were desirous of obtaining arms and ammunition for the Continent. The vouchers for the expenses of their journey from the camp at Cambridge to Philadelphia are in the Library of Congress.

and military stores, and disarming the said tories, and apprehending their chiefs.¹

Resolved, That an order be drawn on the treasurers in favour of the said committee, for the sum of 40 dollars, for expediting the said business.

Ordered, That the delegates of Pennsylvania do immediately count the silver and gold in the treasury, and forward the same, with all convenient speed, under a guard of five men, to General Schuyler; and that the persons sent by the above committee, accompany said guard.

Resolved, That the treasurers be empowered to employ a broker to collect gold and silver, for paper bills of credit.

Resolved, That the contents of the intercepted letters this day read, and the steps which Congress may take in consequence of the said intelligence thereby given, be kept secret until further orders, excepting only that the delegates of Virginia and [South] Carolina have leave to send to their conventions, extracts of such parts of the letters, as they may think necessary for the welfare of their colonies.

The Committee on Captain Sellick's petition, brought in their report, which was read.

The Committee on the petition of sundry merchants in Philadelphia, also brought in their report, which was read.

||Adjourned to ten o'clock on Monday next.||

¹ Against these two paragraphs in the "Corrected Journal" is written the word "Secret."

**NOTES OF DEBATES IN THE CONTINENTAL
CONGRESS BY JOHN ADAMS**

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NOTES OF DEBATES

SEPTEMBER 23, 1775

Saturday. *Samuel Adams* moved, upon *Mifflin's* letter, that a sum be advanced from the treasury for *Mifflin* and *Barrell*.

Mr. E. Rutledge wished the money might be advanced upon the credit of the Quarter-Master-General; wished that an inquiry might be made, whether goods had been advanced. If so, it was against the association. *Lynch* wished the letter read. *S. Adams* read it. *Jay* seconded the motion of *E. Rutledge* that a committee be appointed to inquire if goods are raised against the association. *Gadsden* wished the motion put off. We had other matters of more importance. *Willing* thought that goods might be purchased upon four months' credit. We should not intermix our accounts.

Paine. We have not agreed to clothe the soldiers, and the Quarter-Master-General has no right to keep a slop-shop, any more than anybody else. It is a private matter; very indigested applications are made here for money.

Deane. The army must be clothed, or perish. No preaching against a snow-storm. We ought to look out that they be kept warm, and that the means of doing it be secured.

Lynch. We must see that the army be provided with clothing. I intended to have moved, this very day, that a committee be appointed to purchase woollen goods in this city and New York for the use of the army. *E. Rutledge*. I have no objection to the committee. I meant only that the poor soldiers should be supplied with goods and clothing as cheap as possible.

Lewis. Brown, of Boston, bought goods at New York, and sent them up the North River, to be conveyed by land to Cambridge.

Dyer wanted to know whether the soldiers would be obliged to take these goods. Goods cheaper in New York than here.

Sherman. The sutlers, last war, sold to the soldiers, who were not obliged to take any thing. Many will be supplied by families with their own manufacture. The Quarter-Master-General did not apply to Congress, but to his own private correspondents.

Deane. The soldiers were imposed on by sutlers last war; the soldiers had no pay to receive.

Lynch. A soldier without clothing is not fit for service; but he ought to be clothed, as well as armed, and we ought to provide, as well as it can be done, that he may be clothed.

Nelson moved that five thousand pounds sterling be advanced to the Quarter-Master-General, to be laid out in clothing for the army. *Langdon* hoped a committee would be appointed. *Sherman* liked *Nelson's* motion, with an addition that every soldier should be at liberty to supply himself in any other way.

Read understood that Massachusetts Committee of Supplies had a large store that was very full. *Sherman*, for a committee to inquire what goods would be wanted for the army, and at what prices they may be had, and report. *Gadsden* liked that best. *Johnson* moved that the sum might be limited to five thousand pounds sterling. We don't know what has been supplied by Massachusetts, what from Rhode Island, what from New York, and what from Connecticut. *S. Adams* liked *Nelson's* motion. *Ward* objected to it, and preferred the motion for a committee. *Nelson.* The Quarter-Master is ordered, by the General, to supply the soldiers, &c. *Paine.* It is the duty of this Congress to see that the army be supplied with clothing at a reasonable rate. I am for a committee. Quarter-Master has his hands full. *Zubly.* Would it not be best to publish proposals in the papers for any man who was willing to supply the army with clothing to make his offers?

Harrison. The money ought to be advanced in all events; content with a committee.

R. R. Livingston. . . . *Willing* proposed that we should desire the committee of this city to inquire after these goods, and this will lead them to an inquiry that will be beneficial to America.

Chase. The city of Philadelphia has broken the association, by raising the price of goods fifty per cent. It would not be proper to purchase goods here. The breach of the association here is general in the price of goods, as it is in New York with respect to tea. If we lay out five thousand pounds here, we shall give a sanction to the breaches of the association; the breach is too general to be punished.

Willing. If the association is broken in this city don't let us put the burden of examining into it upon a few, but the whole committee. New York have broken it entirely; ninety-nine in a hundred drink tea. I am not for screening the people of Philadelphia.

Sherman. I am not an importer, but have bought of New York merchants, for twenty years, at a certain advance on the sterling cost.

R. R. Livingston thought we ought to buy the goods where they were dearest, because if we bought them at New York, where they were cheapest, New York would soon be obliged to purchase in Philadelphia, where they are dearest, and then the loss would fall upon New York; whereas, in the other way the loss would be general. *Jay.* We had best desire the committee of this city to purchase the quantity of goods, at the price stated by the association, and see if they were to be had here at that price.

This debate terminated in a manner that I did not foresee. A committee was appointed to purchase five thousand pounds sterling's worth of goods, to be sent to the Quarter-Master-General, and by him to be sold to the soldiers at first cost and charges. Quarter-Master to be allowed five per cent. for his trouble.

Mr. Lynch and Colonel Harrison and Colonel Nelson indulged their complaisance and private friendship for Mifflin and Washington, so far as to carry this.

It is almost impossible to move any thing but you instantly see private friendships and enmities, and provincial views and prejudices, intermingle in the consultation. These are degrees of corruption. They are deviations from the public interest and from rectitude. By this vote however, perhaps the poor soldiers may be benefited, which was all I wished, the interest of Mr. Mifflin being nothing to me.

SEPTEMBER 25, 1775

Monday. An uneasiness among some of the members, concerning a contract with Willing and Morris for powder,¹ by which the House, without any risk at all, will make a clear profit of twelve thousand pounds at least. Dyer and Deane spoke in public; Lewis, to me, in private, about it. All think it exorbitant.

S. Adams desired that the Resolve of Congress, upon which the contract was founded might be read: he did not recollect it.

De Hart. One of the contractors, Willing, declared to this Congress, that he looked upon the contract to be, that the first cost should be insured to them, not the fourteen pounds a barrel for the powder.

R. R. Livingston. I never will vote to ratify the contract in the sense that Morris understands it.

¹ See *Journals*, 18 September, 1775, *ante*.

Willing. I am, as a member of the House, a party to that contract, but was not privy to the bargain. I never saw the contract, until I saw it in Dr. Franklin's hand. I think it insures only the first cost; my partner thinks it insures the whole. He says that Mr. Rutledge said, at the time, that Congress should have nothing to do with sea risk. The committee of this city offered nineteen pounds. I would wish to have nothing to do with the contract, but to leave it to my partner, who is a man of reason and generosity, to explain the contract with the gentlemen who made it with him.

J. Rutledge. Congress was to run no risk, only against men-of-war and custom-house officers. I was surprised, this morning, to hear that Mr. Morris understood it otherwise. If he won't execute a bond, such as we shall draw, I shall not be at a loss what to do.

Johnson. A hundred tons of powder was wanted. *Ross.* In case of its arrival, Congress was to pay fourteen pounds; if men-of-war or custom-house officers should get it, Congress was to pay first cost only, as I understood it. *Zubly.* We are highly favored; fourteen pounds we are to give, if we get the powder, and fourteen pounds, if we don't get it. I understand, persons enough will contract to supply powder at fifteen pounds and run all risks.

Willing. Sorry any gentleman should be severe. Mr. Morris's character is such that he cannot deserve it.

Lynch. If Morris will execute the bond, well; if not, the committee will report.

Deane. It is very well that this matter has been moved, and that so much has been said upon it.

Dyer. There are not ten men, in the Colony I came from, who are worth so much money as will be made, clear, by this contract. *Ross.* What has this matter to (do with) the present debate, whether Connecticut men are worth much or no; it proves there are no men there whose capital or credit is equal to such contracts; that is all. *Harrison.* The contract is made, and the money paid. How can we get it back?

Johnson. Let us consider the prudence of this contract. If it had not been made, Morris would have got nineteen pounds, and not have set forward a second adventure. *Gadsden* understands the contract as Morris does, and yet thinks it a prudent one, because Morris would have got nineteen pounds.

J. Adams. &c. &c. &c.

Crushing. I move that we take into consideration a method of keeping up an army in the winter.

Gadsden seconds the motion, and desires that a motion made in writing some days ago, and postponed, may be read as it was, as also passages of G. Washington's letter.

S. Adams. The General has promised another letter, in which we shall have his sentiments. We shall have it to Morrow, perhaps. *Lynch*. If we have, we shall only lose the writing of a letter.

J. Adams moved that the General's advice should be asked concerning barracks, &c. and that a committee be appointed to draught a letter. *Lynch* seconded the motion.

A committee was appointed. *Lynch*, *J. Adams*, and Colonel *Lee*, the men.

Sherman moved that a committee be appointed, of one member from each Colony, to receive and examine all accounts. *S. Adams* seconded the motion.¹

Harrison asked, "Is this the way of giving thanks?"

S. Adams was decent to the Committee for Riflemen's Accounts; meant no reflections upon them; was sorry that the worthy gentleman from Virginia conceived that any was intended; he was sure there was no foundation for it.

Paine thought that justice and honor required that we should carefully examine all accounts and see to the expenditure of all public moneys; that the minister would find out our weakness, and would foment divisions among our people; he was sorry that gentlemen could not hear methods proposed to settle and pay accounts, in a manner that would give satisfaction to the people, without seeming to resent them. *Harrison*. Now the gentlemen have explained themselves, he had no objection; but when it was proposed to appoint a new committee, in the place of the former one, it implied a reflection.

Willing. These accounts are for tents, arms, clothing, &c. as well as expenses of the riflemen, &c.

Nelson moved that twenty thousand dollars be voted into the hands of the other committee to settle the accounts. *S. Adams* seconded the motion, but still hoped that some time or other a committee would be appointed, of one member from each Colony, to examine all accounts, because he thought it reasonable.

¹ See *Journals*, 25 September, 1775, *ante*.

SEPTEMBER 27, 1775

Wednesday. *Willing*, in favor of Mr. Purviance's petition. *Harrison* against it.

Willing thinks the non-exportation sufficiently hard upon the farmer, the merchant, and the tradesman, but will not arraign the propriety of the measure.

Nelson. If we give these indulgences, I know not where they will end. Sees not why the merchant should be indulged more than the farmer. *Harrison*. It is the merchant in England that is to suffer. *Lynch*. They meant gain, and they ought to bear the loss.

Sherman. Another reason, the cargo is provisions, and will probably fall into the hands of the enemy.

R. R. Livingston. There is no resolve of Congress against exporting to foreign ports. We shall not give license to deceit by clearing out for England.

Lynch moves that the committee of this city be desired to inquire whether Dean's vessel, taken at Block Island, and another at Cape Cod, were not sent on purpose to supply the enemy.

Read. The committee of this city have inquired of the owners of one vessel. The owners produced their letter books, and were ready to swear; the conduct of the captain is yet suspicious. Thinks the other inquiry very proper.

Lee thinks Lynch's motion proper; thinks the conduct detestable parricide, to supply those who have arms in their hands to deprive us of the best rights of human nature. The honest seamen ought to be examined, and they may give evidence against the guilty.

Hancock. Dean belongs to Boston; he came from West Indies, and was seized here and released; loaded with flour and went out.

OCTOBER 4, 1775

Johnson. I should be for the resolutions about imports and exports standing till further order. I should be against giving up the carriage. The grower, the farmer, gets the same, let who will be the exporter, but the community does not. The shipwright, rope-maker, hemp-grower, all shipbuilders, the profits of the merchant, are all lost, if foreigners are our sole carriers, as well as seamen, &c. I am for the report standing; the association standing.

J. Rutledge. The question is, whether we shall shut our ports entirely, or adhere to the association. The resolutions we come to ought to be final.

Lee. North Carolina is absent; they are expected every hour; we had better suspend a final determination. I fear our determination to stop trade will not be effectual.

Willing. North Carolina promised to put themselves in the same situation with other Colonies. New York have done the same. Our gold is locked up at present; we ought to be decisive; interest is near and dear to men. The Committee of Secrecy find difficulties; merchants dare not trade.

Deane. Sumptuary laws, or a non-importation, were necessary, if we had not been oppressed; a non-export was attended with difficulty; my Colony could do as well as others. We should have acquiesced in an immediate non-export, or a partial one. Many voted for it as an object *in terrorem*. Merchants, mechanics, farmers, all call for an establishment.

Whether we are to trade with all nations, except Britain, Ireland, and West Indies, or with one or two particular nations, we cannot get ammunition without allowing some exports; for the merchant has neither money nor bills, and our bills will not pass abroad.

R. R. Livingston. We should go into a full discussion of the subject; every gentleman ought to express his sentiments. The first question is, how far we shall adhere to our association; what advantages we gain, what disadvantages we suffer by it. An immediate stoppage last year would have had a great effect, but at that time the country could not bear it. We are now out of debt nearly; the high price of grain, in Boston, will be an advantage to the farmer. The price of labor is nearly equal in Europe; the trade will be continued, and Great Britain, will learn to look upon America as insignificant. If we export to Britain, and don't import, they must pay us in money; of great importance that we should import. We employ our ships and seamen; we have nothing to fear but disunion among ourselves. What will disunite us more than the decay of all business? The people will feel, and will say, that Congress tax them and oppress them worse than Parliament.

Ammunition cannot be had, unless we open our ports. I am for doing away our non-exportation agreement entirely. I see many advantages in leaving open the ports, none in shutting them up. I should think the best way would be to open all our ports. Let us

declare all those bonds illegal and void. What is to become of our merchants, farmers, seamen, tradesmen? What an accession of strength should we throw into the hands of our enemies if we drive all our seamen to them!

Lee. Is it proper the non-exportation agreement should continue? For the interest of Americans to open our ports to foreign nations, that they should become our carriers, and protect their own vessels.

Johnson never had an idea that we should shut our export agreement closer than it is at present. If we leave it as it is, we shall get powder by way of New York, the lower counties, and North Carolina. In winter, our merchants will venture out to foreign nations. If Parliament should order our ships to be seized, we may begin a force in part to protect our own vessels, and invite foreigners to come here and protect their own trade.

J. Rutledge. We ought to postpone it, rather than not come to a decisive resolution.

Lee. We shall be prevented from exporting, if British power can do it. We ought to stop our own exports, and invite foreign nations to come and export our goods for us. I am for opening our exportations, to foreigners, further than we have.

Willing. The gentlemen's favorite plan is to induce foreigners to come here. Shall we act like the dog in the manger, not suffer New York and the lower counties and North Carolina to export, because we can't? We may get salt and ammunition by those ports. Can't be for inviting foreigners to become our carriers; carriage is an amazing revenue. Holland and England have derived their maritime power from their carriage. The circulation of our paper will stop, and lose its credit, without trade. Seven millions of dollars have been struck by the continent and by the separate Colonies. *Lee.* The end of administration will be answered by the gentleman's plan; jealousies and dissensions will arise, and disunion and division. We shall become a rope of sand. *Zubly.* The question should be, whether the export should be kept or not.

Chase. I am for adhering to the association, and think that we ought not to determine these questions this day. Differ from R. Livingston that our exports are to be relaxed, except as to tobacco and lumber. This will produce a disunion of the Colonies. The advantage of cultivating tobacco is very great; the planters would complain; their negro females would be useless without raising

tobacco; the country must grow rich that exports more than they import. There ought not to be a partial export to Great Britain. We affect the revenue and the remittance by stopping our exports; we have given a deadly blow to Britain and Ireland by our non-export; their people must murmur, must starve. The nation must have become bankrupt before this day if we had ceased exports at first. I look upon Britain, Ireland, and West Indies, as our enemies, and would not trade with them while at war. We can't support the war and our taxes without trade. Emissions of paper cannot continue. I dread an emission for another campaign. We can't stand it without trade. I can't agree that New York, the lower counties, and North Carolina, should carry on trade; upon giving a bond, and making oath, they may export. I am against these Colonies trading according to the restraining act. It will produce division. A few weeks will put us all on a footing; New York, &c. are now all in rebellion, as the ministry call it, as much as Massachusetts Bay.

We must trade with foreign nations, at the risk indeed, but we may export our tobacco to France, Spain, or any other foreign nation. If we treat with foreign nations, we should send to them as well as they to us. What nation or countries shall we trade with? Shall we go to their ports and pay duties, and let them come here and pay none? To say you will trade with all the world deserves consideration.

I have not absolutely discarded every glimpse of a hope of a reconciliation; our prospect is gloomy. I can't agree that we shall not export our own produce. We must treat with foreign nations upon trade. They must protect and support us with their fleets. When you once offer your trade to foreign nations, away with all hopes of reconciliation.

E. Rutledge differs with all who think the non-exportation should be broke, or that any trade at all should be carried on. When a commodity is out of port, the master may carry it where he pleases. My Colony will receive your determination upon a general non-exportation; the people will not be restless. Proposes a general non-exportation until next Congress. Our people will go into manufactures, which is a source of riches to a country. We can take our men from agriculture and employ them in manufactures. Agriculture and manufactures cannot be lost; trade is precarious.

R. R. Livingston not convinced by any argument; thinks the exception of tobacco and lumber would not produce disunion. The Colo-

nies affected can see the principles, and their virtue is such that they would not be disunited. The Americans are their own carriers now chiefly; a few British ships will be out of employ. I am against exporting lumber. I grant that if we trade with other nations, some of our vessels will be seized, and some taken. Carolina is cultivated by rich planters; not so in the northern Colonies; the planters can bear a loss, and see the reason of it; the northern Colonies can't bear it. Not in our power to draw people from the plough to manufactures. We can't make contracts for powder without opening our ports. I am for exporting where Britain will allow us, to Britain itself. If we shut up our ports, we drive our sailors to Britain; the army will be supplied, in all events. *Lee* makes a motion for two resolutions. The trade of Virginia and Maryland may be stopped by a very small naval force. North Carolina is badly off. The northern Colonies are more fortunate. The force of Great Britain on the water being exceedingly great, that of America almost nothing, they may prevent almost all our trade in our own bottoms. Great Britain may exert every nerve next year to send fifteen, twenty, or even thirty thousand men to come here. The provisions of America are become necessary to several nations. France is in distress for them. Tumults and attempts to destroy the grain in the ear. England has turned arable into grass; France into vines. Grain cannot be got from Poland, nor across the Mediterranean. The dissensions in Poland continue. Spain is at war with the Algerines, and must have provisions; it would be much safer for them to carry our provisions than for us. We shall get necessary manufactures, and money, and powder. This is only a temporary expedient, at the present time and for a short duration, to end when the war ends. I agree we must sell our produce; foreigners must come in three or four months; the risk we must pay in the price of our produce. The insurance must be deducted. Insurance would not be high to foreigners on account of the novelty; it is no new thing; the British cruisers will be the danger.

OCTOBER 5, 1775

Thursday. *Gadsden*. I wish we may confine ourselves to one point. Let the point be, whether we shall shut up all our ports, and be all on a footing. The ministry will answer their end, if we let the custom-houses be open in New York, North Carolina, and the lower counties, and Georgia; they will divide us. One Colony will envy

another, and be jealous. Mankind act by their feelings. Rice sold for three pounds; it wont sell now for thirty shillings. We have rich and poor there as well as in other Colonies; we know that the excepted Colonies don't want to take advantage of the others.

Zubby. Q. Whether the custom-houses be stopped, and the trade opened to all the world? The object is so great, that I would not discuss it, on horseback, riding post haste; it requires the debate of a week. We are lifting up a rod; if you don't repeal the acts, we will open our ports. Nations, as well as individuals are sometimes intoxicated. It is fair to give them notice. If we give them warning, they will take warning; they will send ships out. Whether they can stop our trade is the question. New England, I leave out of the question; New York is stopped by one ship; Philadelphia says her trade is in the power of the fleet; Virginia and Maryland are within the capes of Virginia; North Carolina is accessible; only one good harbor, Cape Fear. In Georgia, we have several harbors; but a small naval force may oppose or destroy all the naval force of Georgia. The navy can stop our harbors and distress our trade; therefore it is impracticable to open our ports. The question is, whether we must have trade or not. We can't do without trade; we must have trade; it is prudent not to put virtue to too serious a test. I would use American virtue as sparingly as possible, lest we wear it out. Are we sure one canoe will come to trade? Has any merchant received a letter from abroad that they will come? Very doubtful and precarious whether any French or Spanish vessel would be cleared out to America; it is a breach of the Treaty of Peace. The Spaniards may be too lazy to come to America; they may be supplied from Sicily. It is precarious and dilatory; extremely dangerous and pernicious. I am clearly against any proposition to open our ports to all the world; it is not prudent to threaten; the people of England will take it we design to break off, to separate. We have friends, in England, who have taken this up, upon virtuous principles.

Lee. I will follow Mr. Gadsden, and simplify the proposition, and confine it to the question, whether the custom-houses shall be shut. If they are open, the excepted Colonies may trade, others not, which will be unequal; the consequence, jealousy, division, and ruin. I would have all suffer equally. But we should have some offices set up, where bonds should be given that supplies shall not go to our enemies.

OCTOBER 6, 1775

Friday. Chase. I don't think the resolution goes far enough. Lord Dunmore has been many months committing hostilities against Virginia, and has extended his piracies to Maryland. I wish he had been seized by the Colony months ago. They would have received the thanks of all North America. Is it practicable now? Have the Committee any naval force? This order will be a mere piece of paper. Is there a power in the Committee to raise and pay a naval force? Is it to be done at the expense of the Continent? Have they ships or men?

Lee. I wish Congress would advise Virginia and Maryland to raise a force by sea to destroy Lord Dunmore's power. He is fond of his bottle, and may be taken by land, but ought to be taken at all events.

Zubly. I am sorry to see the very threatening condition that Virginia is likely to be in. I look on the plan we heard of yesterday, to be vile, abominable, and infernal; but I am afraid it is practicable. Will these mischiefs be prevented by seizing Dunmore? Seizing the King's representatives will make a great impression in England, and probably things will be carried on afterwards with greater rage. I came here with two views; one, to secure the rights of America; second, a reconciliation with Great Britain.

Dyer. They can't be more irritated at home than they are; they are bent upon our destruction; therefore, that is no argument against seizing them. Dunmore can do no mischief in Virginia; his connections in England are such that he may be exchanged to advantage. Wentworth is gone to Boston; Franklin is not dangerous, Penn is not, Eden is not.

Johnson. Dunmore a very bad man. A defensive conduct was determined on in the Convention of Virginia. I am for leaving it to Virginia. We ought not to lay down a rule in a passion. I see less and less prospect of a reconciliation every day; but I would not render it impossible; if we should render it impossible, our Colony would take it into their own hands, and make concessions inconsistent with the rights of America. North Carolina, Virginia, Pennsylvania, New York, at least, have strong parties in each of them of that mind. This would make a disunion. Five or six weeks will give us the final determination of the people of Great Britain. Not a Governor on the Continent has the real power, but some have the shadow of it. A

renunciation of all connection with Great Britain will be understood by a step of this kind. Thirteen Colonies connected with Great Britain in sixteen months have been brought to an armed opposition to the claims of Great Britain. The line we have pursued has been the line we ought to have pursued; if what we have done had been proposed two years ago, four Colonies would not have been for it. Suppose we had a dozen Crown officers in our possession, have we determined what to do with them? Shall we hang them?

Lee. Those who apply general reasons to this particular case will draw improper conclusions. Those Crown officers who have advised his Lordship against his violent measures, have been quarrelled with by him. Virginia is pierced in all parts with navigable waters. His Lordship knows all these waters, and the plantations on them. Shuldrham is coming to assist him in destroying these plantations. We see his influence with an abandoned administration is sufficient to obtain what he pleases. If six weeks may furnish decisive information, the same time may produce decisive destruction to Maryland and Virginia. Did we go fast enough when we suffered the troops at Boston to fortify?

Zubly. This a sudden motion; the motion was yesterday to apprehend Governor Tryon. We have not yet conquered the army or navy of Great Britain; a navy, consisting of a cutter, rides triumphant in Virginia. There are persons in America who wish to break off with Great Britain; a proposal has been made to apply to France and Spain; before I agree to it, I will inform my constituents. I apprehend the man who should propose it would be torn to pieces like De Witt.

Wythe. It was from a reverence for this Congress that the Convention of Virginia neglected to arrest Lord Dunmore; it was not intended suddenly to form a precedent for Governor Tryon. If Maryland have a desire to have a share in the glory of seizing this nobleman, let them have it. The first objection is the impracticability of it. I don't say that it is practicable; but the attempt can do no harm. From seizing clothing in Delaware, seizing the transports &c., the Battles of Lexington, Charlestown, &c., every man in Great Britain will be convinced by ministry and Parliament, that we are aiming at an independency on Great Britain; therefore, we need not fear from this step disaffecting our friends in England. As to a defection in the Colonies, I can't answer for Maryland, Pennsylvania, &c.; but I can for Virginia.

Johnson. I am not against allowing liberty to arrest Lord Dunmore; there is evidence that the scheme he is executing was recommended by himself. Maryland does not regard the connection with Great Britain as the first good.

Stone. If we signify to Virginia that it will not be disagreeable to us if they secure Lord Dunmore, that will be sufficient.

Lewis moves an amendment, that it be recommended to the Council of Virginia, that they take such measures to secure themselves from the practices of Lord Dunmore, either by seizing his person, or otherwise, as they think proper.

Hall. A material distinction between a peremptory order to the Council of Virginia, to seize his Lordship, and a recommendation to take such measures as they shall judge necessary to defend themselves against his measures.

Motion to Export Produce for Powder

Sherman. I think we must have powder, and we may send out produce for powder. But upon some gentleman's principles we must have a general exportation.

Paine. From the observations some gentlemen have made, I think this proposition of more importance than it appeared at first. In theory, I could carry it further, even to exportation and importation to Great Britain. A large continent can't act upon speculative principles, but must be governed by rules. Medicines we must have, some clothing, &c. I wish we could enter upon the question at large, and agree upon some system.

Chase. By that resolution we may send to Great Britain, Ireland, and West Indies.

Lee. Suppose provisions should be sold in Spain for money, and cash sent to England for powder.

Duane. We must have powder; I would send for powder to London or anywhere. We are undone if we have not powder.

Deane. I hope the words, "agreeable to the Association" will be inserted, but I would import from Great Britain powder.

R. R. Livingston. We are between hawk and buzzard; we puzzle ourselves between the commercial and warlike opposition.

Rutledge. If ammunition was to be had from England only, there would be weight in the gentleman's argument. The Captain, Reed, told us yesterday that he might have brought one thousand barrels

of powder. Why? because he was not searched. But if he had attempted to bring powder, he would have been searched. I would let the Association stand as it is, and order the Committee to export our provisions consistent with it.

Lee. When a vessel comes to England against our Association, she must be observed and watched; they would keep the provisions, but not let us have the powder.

Deane. I have not the most distant idea of infringing the Association.

Duane. The resolution with the amendment amounts to nothing. The Committee may import now consistent with the Association. I apprehend that, by breaking the Association, we may import powder, without it, not. We must have powder. We must fight our battles, in two or three months, in every Colony.

J. Rutledge. They may export to any other place, and thence send money to England.

New York Letter concerning a fortification on the Highlands considered.

Dyer. Can't say how far it would have been proper to have gone upon Roman's plan in the Spring, but thinks it too late now. There are places upon that river that might be thrown up in a few days, that would do. We must go upon some plan that will be expeditious.

Lee. Roman says a less or more imperfect plan would only be beginning a strong-hold for an enemy.

Deane. An order went to New York; they have employed an engineer. The people and he agree in the spot and the plan. Unless we rescind the whole we should go on; it ought to be done.

OCTOBER 7, 1775

Saturday. *Chase.* It is the maddest idea in the world to think of building an American fleet; its latitude is wonderful; we should mortgage the whole Continent. Recollect the intelligence on your table—defend New York—fortify upon Hudson's River. We should provide, for gaining intelligence, two swift sailing vessels.

Dyer. The affair of powder from New York should be referred to the Committee.

Hopkins. No objection to putting off the instruction from Rhode Island, provided it is to a future day.

Paine. Seconds Chase's motion that it be put off to a future day, *sine die*.

Chase. The gentleman from Maryland never made such a motion. I never used the copulative; the gentleman is very sarcastic, and thinks himself very sensible.

Zubly. If the plans of some gentlemen are to take place, an American fleet must be a part of it, extravagant as it is.

Randolph moves that all the orders of the day should be read every morning.

Deane. I wish it may be seriously debated. I don't think it romantic at all.

J. Rutledge moves that some gentlemen be appointed to prepare a plan and estimate of an American fleet. *Zubly* seconds the motion.

Gadsden. I am against the extensiveness of the Rhode Island plan; but it is absolutely necessary that some plan of defence by sea, should be adopted.

J. Rutledge. I shall not form a conclusive opinion, till I hear the arguments. I want to know how many ships are to be built, and what they will cost.

S. Adams. The committee can't make an estimate, until they know how many ships are to be built.

Zubly. Rhode Island has taken the lead. I move that the delegates of Rhode Island prepare a plan; give us their opinion.

J. Adams. The motion is entirely out of order. The subject is put off for a week, and now a motion is to appoint a committee to consider the whole subject.

Zubly, Rutledge, Paine, Gadsden,—lightly skirmishing.

Deane. It is like the man that was appointed to tell the dream and the interpretation of it. The expense is to be estimated, without knowing what fleet there shall be, or whether any at all.

Gadsden. The design is, to throw it into ridicule. It should be considered, out of respect to the Colony of Rhode Island, who desired it. Determined, against the appointment of a committee.

Report of the Committee, for fortifying upon Hudson's River, considered.

J. Rutledge. I think we should add to the report, that they take the most effectual measures to obstruct the navigation of Hudson's River, by Booms, or otherwise. *Gadsden* seconds the motion. *Deane* doubts the practicability of obstructing it with booms, it is so wide. The committee said, four or five booms chained together, and ready to be drawn across, would stop the passage.

The Congress of New York is to consult the Assembly of Connecticut, and the Congress of New Jersey, on the best method of taking posts, and making signals, and assembling forces for the defence of the river.

Gadsden moves that all the letters laid before us, from England, should be sent to the Convention of New York. Tryon is a dangerous man, and the Convention of that Colony should be upon their guard. *Lee*. I think the letters should, by all means, be sent. *Rutledge*. Dr. Franklin desired they might not be printed. Moves that General Wooster, with his troops, may be ordered down to New York. *Duane* moves that Wooster's men may be employed in building the fortifications. *Dyer* seconds the motion, allowing the men what is usual.

Sherman would have the order conditional, if Schuyler don't want them; understands that New York has the best militia upon the continent.

R. Livingston. They will be necessary at the Highlands. *Dyer* thinks they ought to have the usual allowance for work.

S. Adams understands that the works at Cambridge were done without any allowance, but that General Washington has ordered, that, for future works, they be allowed half a pistareen a day.

Langdon would not have the order to Wooster, but to Schuyler; for he would not run any risk of the northern expedition.

Rutledge thinks Schuyler can't want them; he waited only for boats to send five hundred men more. *Sherman*. Would it not be well to inform Schuyler of our endeavors to take the transports, and desire him to acquaint Colonel Arnold of it?

Rutledge. He may cooperate with Arnold in taking the transports. I hope he is in possession of Montreal before now.

Deane. I wish that whatever money is collected, may be sent along to Schuyler.

E. Rutledge. We have been represented as beggarly fellows, and the first impressions are the strongest. If we eat their provisions, and don't pay, it will make a bad impression.

Ross produces a Resolve of the Assembly of Pennsylvania, that their delegates lay the Connecticut Intrusion before Congress, that something may be done to quiet the minds.

J. Rutledge moves that the papers be referred to the delegates of the two Colonies.

Willing thinks them parties, and that they must have an umpire. *Sherman* thinks they may agree on a temporary line.

Debate on the Report for fortifying upon Hudson's River, resumed.

Lee moves that parliamentary or ministerial posts may be stopped, as a constitutional post is now established from New Hampshire to Georgia. *Langdon* seconds the motion.

Willing thinks it is interfering with that line of conduct which we have hitherto prescribed to ourselves; it is going back beyond the year 1763.

Lee. When the Ministry are mutilating our correspondence in England, and our enemies here are corresponding for our ruin, shall we not stop the ministerial post?

Willing looks upon this to be one of the offensive measures which are improper at this time. It will be time enough to throw this aside, when the time comes that we shall throw every thing aside; at present, we don't know but there may be a negotiation.

Dyer. We have already superseded the Act of Parliament effectually.

Deane is for a recommendation to the people to write by the constitutional post; not forbid a man to ride.

S. Adams thinks it a defensive measure; and advising people not to write by it, looks too cunning for me. I am for stopping the correspondence of our enemies.

Langdon. Administration are taking every method to come at our intentions. Why should not we prevent it? *Duane*. I shall vote against it. It may be true that we are come to the time when we are to lay aside all. I think there should be a full representation of the Colonies. North Carolina should be here. *Deane* seconds the motion for postponing it.

Zubly. The necessity of this measure does not appear to me. If we have gone beyond the line of 1763 and of defence, without apparent necessity, it was wrong; if with necessity, right. I look upon the invasion of Canada as a very different thing; I have a right to defend myself against persons who come against me, let them come from whence they will. We, in Georgia, have gained intelligence, by the King's Post, that we could not have got any other way. Some gentlemen think all merit lies in violent and unnecessary measures.

S. Adams. The gentleman's argument would prove that we should let the post go into Boston. *Morton*. Would not this stop the packet? Would it not be ordered to Boston? Does the packet bring any intelligence to us that is of use?

Lee. No intelligence comes to us, but constant intelligence to our

enemies. *Stone* thinks it an innocent motion, but is for postponing it, because he is not at present clear. He thinks that the setting up a new post has already put down the old one.

Paine. My opinion was, that the ministerial post will die a natural death; it has been under a languishment a great while; it would be cowardice to issue a decree to kill that which is dying; it brought but one letter last time, and was obliged to retail newspapers to bear its expenses. I am very loth to say that this post shall not pass.

Lee. Is there not a Doctor, Lord North, who can keep this creature alive?

R. R. Livingston. I don't think that Tory letters are sent by the royal post. I consider it rather as a convenience than otherwise; we hear five times a week from New York. The letters, upon our table, advise us to adopt every conciliatory measure, that we may secure the affections of the people of England.

OCTOBER 10, 1775

Who shall have the appointment of the officers, in the two battalions to be raised in New Jersey?

Sherman. Best to leave it to the Provincial Conventions. *Ward* seconds the motion.

Chase. This is persisting in error, in spite of experience; we have found, by experience, that giving the choice of officers to the people is attended with bad consequences. The French officers are allowed to exceed any in Europe, because a gentleman is hardly entitled to the smiles of the ladies, without serving a campaign. In my Province, we want officers. Gentlemen have recommended persons, from personal friendships, who were not suitable; such friendships will have more weight in the Colonies. *Dyer*. We must derive all our knowledge from the delegates of that Colony. The representatives at large are as good judges, and would give more satisfaction. You can't raise an army, if you put officers over the men, whom they don't know. It requires time to bring people off from ancient usage. *E. Rutledge*. We don't mean to break in upon what has been done. In our Province we have raised our complement of men in the neighboring Colonies. I am for it, that we may have power to reward merit.

Ward. The motion is intended for a precedent. In the expedition to Carthagena and Canada, the Crown only appointed a lieutenant in my Colony; the men will not enlist. When the Militia Bill was before

us, I was against giving the choice to the men. I don't know any man in the Jerseys. *Duane*. A subject of importance; a matter of delicacy; we ought to be all upon a footing; we are to form the grand outlines of an American army; a general regulation. Will such a regulation be salutary? The public good alone will govern me. If we were to set out anew, would the same plan be pursued? It has not been unprecedented in this Congress. Mr. Campbell, Allen, Warner, were promoted here. We ought to insist upon it; we shall be able to regulate an army better. Schuyler and Montgomery would govern my judgment. I would rather take the opinion of General Washington than of any convention. We can turn out the unworthy, and reward merit; the usage is for it. Governors used to make officers, except in Connecticut and Rhode Island. But we can't raise an army! We are then in a deplorable condition indeed. We pay!—can't we appoint, with the advice of our Generals?

Langdon looks upon this as a very extraordinary motion, and big with many mischiefs. *Deane*. It is the people's money, not ours; it will be fatal. We can't set up a sale for offices, like Lord Barrington. *E. Rutledge*. The appointment, hitherto, has been as if the money belonged to particular Provinces, not to the Continent. We can't reward merit; the Governor appointed officers with us.

Ross. My sentiments coincide with those of the gentlemen from New York and Carolina, and would go further and appoint every officer, even an ensign. We have no command of the army. They have different rules and articles. *Jay*. Am of opinion with the gentleman who spoke last. The Union depends much upon breaking down Provincial Conventions; the whole army refused to be mustered by your Muster-Master.

OCTOBER 12, 1775

Debate on the State of Trade, [cont'd from Oct. 5.]

Thursday. *Report, on Trade*, considered in a committee of the whole.

Lee. It has been moved to bring the debate to one point by putting the question, whether the custom-houses shall be shut up, and the officers discharged from their several functions. This would put New York, North Carolina, the lower Counties, and Georgia, upon the same footing with the other Colonies. I, therefore, move you, that the custom-houses be shut, and the officers discharged; this will remove jealousies and divisions.

Zubly. The measure we are now to consider is extremely interesting. I shall offer my thoughts. If we decide properly, I hope we shall establish our cause; if improperly, we shall overthrow it altogether.

1st Proposition. Trade is important. 2. We must have a reconciliation with Great Britain, or the means of carrying on the war; an unhappy day when we shall . . . A republican government is little better than government of devils. I have been acquainted with it from six years old. We must regulate our trade, so as that a reconciliation be obtained, or we enabled to carry on the war. Can't say, but I do hope for a reconciliation, and that this winter may bring it. I may enjoy my hopes for reconciliation; others may enjoy theirs, that none will take place. A vessel will not go without sails or oars. Wisdom is better than weapons of war. We don't mean to oppose Great Britain, merely for diversion; if it is necessary, that we make war, and that we have the means of it. This Continent ought to know what it is about; the nation don't. We ought to know what they mean to be about; we ought to have intelligence of the designs. King of Prussia and Count Daun marched and countermarched, until they could not impose upon each other any more. Every thing we want for the war is powder and shot. Second thing necessary, that we have arms and ammunition. Third, we must have money; the continental credit must be supported; we must keep up a notion that this paper is good for something; it has not yet a general circulation. The Mississippi scheme, in France, and the South Sea scheme, in England, were written for our learning; a hundred millions fell in one day. Twenty men-of-war may block up the harbor of New York, Delaware River, Chesapeake Bay, the Carolinas, and Georgia. Whether we can raise a navy, is an important question. We may have a navy, and to carry on the war, we must have a navy. Can we do this without trade? Can we gain intelligence without trade? Can we get powder without trade? Every vessel you send out is thrown away. New England, where the war is, may live without trade; the money circulates there; they may live. Without trade our people must starve; we cannot live; we cannot feed or clothe our people. My resolution was, that I would do and suffer any thing, rather than not be free; but I am resolved not to do impossible things; if we must trade, we must trade with somebody, and with somebody that will trade with us; either with foreigners or Great Britain; if with foreigners, we must either go to them or they must come to us; we can't go to them, if our harbors are shut up. I look upon the trade with

foreigners as impracticable. St. Lawrence being open is a supposition. New England people, last war, went to Cape François. Spaniards are too lazy to come to us. If we can't trade with foreigners, we must trade with Great Britain. Is it practicable? will it quit cost? will it do more hurt than good? This is breaking our association. Our people will think we are giving way, and giving all up; they will say, one mischievous man has overset the whole navigation. I speak from principle; it has been said here that the association was made *in terrorem*.

Gadsden seconds Lee's motion, and affirms that we can carry on trade from one end of the continent to the other.

Deane. Custom-house officers discharged! Were they ever in our pay, in our service? Let them stand where they are; let this Congress establish what offices they please; let the others die. I think that all the Colonies ought to be upon a footing; we must have trade. I think we ought to apply abroad; we must have powder and goods; we can't keep our people easy without.

Lee. The gentleman agrees that all ought to be upon a footing. Let him show how this can be done without shutting the custom-houses.

Jay. This should be the last business we undertake. It is like cutting the foot to the shoe, not making a shoe for the foot. Let us establish a system first.

I think we ought to consider the whole, before we come to any resolutions. Now gentlemen have their doubts whether the non-exportation was a good measure. I was, last year, clear against it. Because the enemy have burned Charlestown, would gentlemen have us burn New York? Let us lay every burden as equal on all the shoulders as we can. If Providence or Ministry inflict misfortunes on one, shall we inflict the same on all? I have one arm sore, why should not the other arm be made sore too? But jealousies will arise; are these reasonable? is it politic? We are to consult the general good of all America. Are we to do hurt, to remove unreasonable jealousies? Because Ministry have imposed hardships on one, shall we impose the same on all? It is not from affection to New York that I speak. If a man has lost his teeth, on one side of his jaws, shall he pull out the teeth from the other, that both sides may be upon a footing? Is it not realizing the quarrel of the belly and the members? The other Colonies may avail themselves of the custom-houses in the exempted Colonies.

Lee. All must bear a proportional share of the Continental expense. Will the exempted Colonies take upon themselves the whole expense? Virginia pays a sixth part, the lower Counties an eightieth; yet the lower counties may trade, Virginia not. The gentleman exercised an abundance of wit to show the unreasonableness of jealousies. If this ministerial bait is swallowed by America, another will be thrown out.

Jay. Why should not New York make money, and New Jersey not? One Colony can clothe them.

McKean. I have four reasons for putting the favored Colonies upon a footing with the rest. 1. To disappoint the ministry; their design was insidious. 2. I would not have it believed by ministry, or other Colonies, that these Colonies, had less virtue than others. 3. I have a reconciliation in view; it would be in the power of those Colonies, it might become their interest, to prolong the war. 4. I believe Parliament has done, or will do it for us, that is, put us on the same footing. I would choose that the exempted Colonies should have the honor of it; not clear that this is the best way of putting them upon a footing. If we should be successful in Canada, I would be for opening our trade to some places in Great Britain, Jamaica, &c.

J. Rutledge wonders that a subject so clear has taken up so much time. I was for a general non-exportation. Is it not surprising that there should so soon be a motion for breaking the Association? We have been reproached for our breach of faith in breaking the non-importation. I have the best authority to say that if we had abided by a former non-importation we should have had redress. We may be obliged hereafter to break the Association; but why should we break it before we feel it? I expected the delegates from the exempted Colonies would have moved to be put upon the same footing. Don't like shutting the custom-houses and discharging the officers, but moves that the resolve be, that people in New York, North Carolina, and lower Counties don't apply to the custom-house.

Zubly. Georgia is settled along Savannah River, two hundred miles in extent, and one hundred miles the other way. I look upon it, the Association altogether will be the ruin of the cause. We have ten thousand fighting Indians near us. Carolina has already smuggled goods from Georgia.

Chase. I will undertake to prove that if the reverend gentleman's positions are true, and his advice followed, we shall all be made slaves. If he speaks the opinion of Georgia, I sincerely lament that they ever appeared in Congress. They cannot, they will not comply! Why did

they come here? Sir, we are deceived! Sir, we are abused! Why do they come here? I want to know why their Provincial Congress came to such resolutions. Did they come here to ruin America? The gentleman's advice will bring destruction upon all North America. I am for the resolution upon the table. There will be jealousies, if New York and the other exempted Colonies are not put upon a footing. It is not any great advantage to the exempted Colonies. What can they export, that will not be serviceable to Great Britain and the West Indies? The exports of North Carolina are of vast importance to Great Britain. If these Colonies are in rebellion, will not their effects be confiscated and seized even upon the ocean? Arms and ammunition must be obtained by what is called smuggling. I doubt not we shall have the supply. Leaving open New York &c. will prevent our getting arms and ammunition.

Houston. Where the protection of this room did not extend, I would not sit very tamely. *Chase.* I think the gentleman ought not to take offence at his brother delegate.

Wythe agrees with the gentleman from New York that we don't proceed regularly. The safety of America depends essentially on a union of the people in it. Can we think that union will be preserved if four Colonies are exempted? When New York Assembly did not approve the proceedings of the Congress, it was not only murmured at, but lamented as a defection from the public cause. When Attica was invaded by the Lacedemonians, Pericles ordered an estate to be ravaged and laid waste, because he thought it would be exempted by the Spartan King. Nothing was ever more unhappily applied than the fable of the stomach and the limbs.

Sherman. Another argument for putting . . .

OCTOBER 13, 1775

On Trade, continued,

R. Livingston hopes the whole matter will be put off. Is willing, as it seems the general sense, that all should be put upon a footing.

Gadsden hopes it will not be put off. South Carolina will be in the utmost confusion if this matter is not decided. Let the Continent determine.

Stone can see no particular inconvenience to Carolina; seconds the motion of Mr. Livingston, for postponing the question, and gives his reasons. The Powder Committee must take clearances. If they are

allowed to take clearances, and no other, then whenever they take a clearance, it will be known that it is for powder, and the vessel will be watched.

Lee. I see very clearly that the best time for putting a question is when it is best understood. That time is the present. As to powder, time may be allowed for the Committee to clear vessels.

J. Rutledge thinks this motion extraordinary; this subject has been under consideration three weeks. It is really trifling. The Committee may have time allowed to clear vessels for powder; but I had rather the Continent should run the risk of sending vessels without clearances. What confusion would ensue, if Congress should break up without any resolution of this sort! The motion seems intended to defeat the resolution entirely. Those who are against it are for postponing.

Jay. We have complied with the restraining act. The question is, whether we shall have trade or not? and this is to introduce a most destructive scheme, a scheme which will drive away all your sailors, and lay up all your ships to rot at the wharves.

OCTOBER 20, 1775

Debate continued

Deane. Their plunder only afforded one meal of fresh meat for the privates; all the rest was reserved for the officers, and their friends among the inhabitants. I would have traders prohibited from importing unnecessary articles, and from exporting live stock, except horses.

Gadsden. If we give one leave, when there are one hundred who have an equal right, it will occasion jealousy. Let each Colony export to the amount of so many thousand pounds, and no more.

Chase. We have letters from Guadaloupe, Martinique, and the Havana, that they will supply us with powder for tobacco.

Gadsden. France and Spain would be glad to see Great Britain despotic in America. Our being in a better state than their Colonies occasions complaints among them, insurrections and rebellions. But these powers would be glad we were an independent State.

Chase. The proposition is for exporting for a special purpose,—importing powder. I would not permit our cash to go for rum. Live stock is an inconsiderable part of our cargoes. I don't wish to intermix any thing in this debate. I would restrain the merchant from importing any thing but powder &c. Molasses was an article of

importance in the trade of the Northern Colonies. But now they can't carry on the African trade, and the rum is pernicious. If you give a latitude for any thing but arms and ammunition, we shan't agree what articles are necessary and what unnecessary. Each Colony should carry on this trade, not individuals. I would not limit the quantity of ammunition to be imported by each Colony. A hundred tons a Colony would supply the West Indies, mediately all the army and navy. Twenty tons would be a considerable adventure for a Colony. Debts are due from the British West India Islands to the inhabitants of these Colonies. I am not for permitting vessels to go in ballast and fetch cash; I wish to import cash from every place as much as possible.

Deane. It cannot be done with secrecy or despatch. I rather think it would be as well to leave it to traders.

Zubly. It is of great weight that there be no favorites.

Dyer. There will be such continual applications to the Assemblies by their friends among the traders, it will open a complete exportation; it would completely supply the West Indies.

Jay. We have more to expect from the enterprise, activity and industry of private adventurers, than from the lukewarmness of assemblies. We want French woollens, Dutch worsteds, duck for tents, German steel, &c. Public virtue is not so active as private love of gain. Shall we shut the door against private enterprise?

Lee. The gentleman may move for those things as exceptions to the general rule.

Randolph. We are making laws contradictory in terms. We say nobody shall export, and yet somebody shall. Against all rule.

Lee. It is a common rule in making laws, to make a rule and then make a proviso for special cases.

Dyer. The rule and the proviso are passed at once in the same act, though. If I give my voice for an unconditional proposition, what security have I that the condition or proviso will be added afterwards? The greatest impropriety in the world.

Chase. Both sides are right; and it arises from this, that one proposition is to be made public, and the other kept secret. We have very little confidence in each other.

Zubly. If half the law is to be public and the other half secret, will not half the people be governed by one half and the other half by the other? Will they not clash?

Jay. Lest your produce fall into the hands of your enemies, you

publish a law that none go from the Continent; yet to get powder, we keep a secret law that produce may be exported. Then come the wrangles among the people. A vessel is seen loading,—a fellow runs to the committee.

Lee. The inconvenience may arise in some measure; but will not the people be quieted by the authority of the Conventions? If we give public notice, our enemies will be more active to intercept us. On the contrary, the people may be quieted by the committees of safety.

Wythe. The only persons who can be affected by this resolution, are those who, on the other side of the water, will be called smugglers. Consider the danger these smugglers will run; liable to seizure by custom-house officers, by men of war at sea, and by custom-house officers in the port they go to. What can they bring? Cash, powder, or foreign manufactures? Can't see the least reason for restraining our trade, as little can be carried on. My opinion is, we had better open our trade altogether. It has long been my opinion, and I have heard no arguments against it.

Zubly. We can't do without trade. To be or not to be is too trifling a question for many gentlemen. All that wise men can do among many difficulties, is to choose the least.

Stone. Cannot agree to the propositions made by the gentleman from Maryland,—not for binding the people closer than they are bound already,—the proposition is the same with that which was made, that our vessels should be stopped, and foreigners invited to come here for our produce and protect their own trade. This appears to be a destructive system. It was a laborious task to get America into a general non-exportation to Great Britain, Ireland, and West Indies,—shall we now combine with Britain to distress our people in their trade, more than by the Association? People have looked up to this, and are unwilling to go further. The restraining bill, a most cruel, unjust, unconstitutional act; yet we are going to greater cruelties than they. We are all to be in the same circumstances of poverty and distress. Will the West Indies be supplied by a circuitous trade? I think not. How can the West Indies get supplies from Holland, France, or Spain? The whole produce will not be carried; it is said the men of war will take their produce; this argument will operate against exporting for powder.

The army will be supplied; it is impossible to prevent their getting supplies, at least of bread. It appears to me this is not a temporary

expedient, but will have a perpetual influence. It is a destructive, ruinous expedient, and our people never will bear it. Under the faith that your ports would be kept open to foreigners, people have made contracts with foreigners. You are giving a sanction to the Act of Parliament, and going further. Under such a regulation we never can exist. I would export produce to foreign West Indies, or anywhere for powder; but the mode of doing it will defeat it. The Assemblies never will turn merchants successfully. I would have private adventurers give bond to return powder, or the produce itself.

Chase. Differs from his colleague; a different proposition from that for restraining our people and inviting foreigners. This proposition invites your people. If you carry on your exports, without the protection of a foreign power you destroy America. If you stop provisions and not other produce, you create a jealousy. If you export provisions and not other produce, you create a jealousy. Don't think the risk will prevent supplies to the West India Islands.

We must prevent them lumber as well as provisions; great quantities will be exported, notwithstanding the risk. All the fleet of Britain cannot stop our trade; we can carry it all on. We must starve the West India Islands, and prevent them exporting their produce to Great Britain. There will be great quantities of provisions and lumber exported. It will enhance the expense, to carry them to Spain or France first, and thence to the West Indies; but the price will be such that the West Indies will get them. I hold it clearly, we can do without trade; this country produces all the necessaries, many of the conveniences, and some of the superfluities of life. We can't grow rich; our provisions will be cheap; we can maintain our army and our poor. We shan't lose our sailors; the fishermen will serve in another capacity. We must defend the lakes and cities. Merchants will not grow rich; there is the rub. I have too good an opinion of the virtue of our people, to suppose they will grumble. If we drop our commercial system of opposition, we are undone; we must fail; we must give up the profits of trade, or lose our liberties. Let the door of reconciliation be once shut, I would trade with foreign powers, and apply to them for protection. Leave your ports open, and every man that can, will adventure; the risk will not prevent it.

It was strongly contended, at the first Congress, that trade should be stopped to all the world; that all remittances should cease. You would have saved a civil war, if you had; but it could not be carried; the gentlemen from South Carolina could not prevail to stop our

exports to Britain, Ireland, and West Indies. Our vessels will all be liable to seizure; our trade must be a smuggling trade. Yet we can trade considerably, and many vessels will escape. No vessel can take a clearance. Many vessels will go out, unless you restrain them; all America is in suspense; the common sense of the people has pointed out this measure; they have stopped their vessels.

Lee. We possess a fine climate and a fertile soil; wood, iron, sheep, &c. We make eleven or twelve hundred thousand pounds' worth of provisions more than is necessary for our own consumption. Don't think it necessary to combat the opinion of some gentlemen, that we cannot live without trade. Money has debauched States, as well as individuals, but I hope its influence will not prevail over America against her rights and dearest interests. We shall distress the West Indies, so as immediately to quit coin for corn. Four millions go yearly from the West Indies to Britain, and a million at least returns. If our provisions go from these shores, then they will go where the best price is to be had. West Indies and our enemies will get them. If it was not proper a year ago, it may be now; this proposition is not perpetual. When we get powder, we may make ourselves strong by sea, and carry on trade.

J. Rutledge. A question of the greatest magnitude that has come before this Congress. If it is necessary to do without trade, our constituents will submit to it. The army will be supplied with flour from England, where it is now cheaper than here; but they would be supplied here, if they were to demand it upon pain of destroying our towns. West Indies are supplied, and have laid up stores, and some of them have been raising provisions on their own lands. It will bear hard upon the farmer, as well as the merchant. Don't think the reasons the same now as last year; it would then have destroyed the linen manufactory and the West Indies; but now they have had notice of it, they are prepared against it.

OCTOBER 21, 1775

Same subject continued

Saturday. Zubly. We can't do without powder, intelligence, drugs. Georgia must have an Indian war, if they can't supply the Indians. The Creeks and Cherokees are in our Province; we must have Indian trade. Four millions have been spent in six months. We have been successful, but we have gained little; all the power of Great Britain,

it is true, has gained very little. New England has been at great expense, so has New York; Pennsylvania has spent a hundred thousand pounds of their money, to fortify their river; Virginia as much; North Carolina a great deal; South Carolina have issued a million. Eighteen millions of dollars is an enormous sum of money; whenever your money fails, you fail too. We are to pay six millions now, twelve millions more presently, and have no trade. I would bear the character of a madman, or that of an emissary of Lord North, rather than believe it possible to pay eighteen millions of dollars without trade. Can we make bricks without straw? We can live upon acorns; but will we?

Wythe. The rule, that the question should be put upon the last motion that is made and seconded, is productive of great confusion in our debates; six or seven motions at once. Commerce, whether we consider it in an economical, a moral, or political light, appears to be a great good; civility and charity, as well as knowledge, are promoted by it. The *auri sacra fames* is a fine subject for philosophers and orators to display themselves upon; but the abuse of a thing is not an argument against it. If the gentleman was possessed of the philosopher's stone, or Fortunatus's cap, would he not oblige the continent with the use of it? Why should not America have a navy? No maritime power near the sea-coast can be safe without it. It is no chimera. The Romans suddenly built one in their Carthaginian war. Why may not we lay a foundation for it? We abound with firs, iron ore, tar, pitch, turpentine; we have all the materials for construction of a navy. No country exceeds us in felicity of climate or fertility of soil. America is one of the wings upon which the British eagle has soared to the skies. I am sanguine and enthusiastical enough to wish and to hope that it will be sung, that America *inter nubila condit*.

British navy will never be able to effect our destruction. Before the days of Minos, nations round the Archipelago carried on piratical wars. The Moors carry on such wars now, but the pillars of Hercules are their *ne plus ultra*. We are too far off for Britain to carry on a piratical war. We shall, sometime or other, rise, superior to all the difficulties they may throw in our way. I wont say, there is none that doeth good in Britain, no, not one; but I will say, she has not righteous persons enough to save their State. They hold those things honorable which please them, and those for just which profit them. I know of no instance where a Colony has revolted, and a foreign nation has interposed to subdue them; but many of the contrary. If France and Spain should furnish ships and soldiers, England must pay them. Where

are her finances? Why should we divert our people from commerce, and banish our seamen? Our petition may be declared to be received graciously, and promised to be laid before Parliament, but we can expect no success from it. Have they ever condescended to take notice of you? Rapine, depopulation, burning, murder. Turn your eyes to Concord, Lexington, Charlestown, Bristol, New York; there you see the character of Ministry and Parliament. We shall distress our enemies by stopping trade; granted. But how will the small quantities we shall be able to export supply our enemies? Tricks may be practised. If desire of gain prevails with merchants, so does caution against risks.

Gadsden. I wish we could keep to a point. I have heard the two gentlemen with a great deal of pleasure. I have argued for opening our ports, but am for shutting them until we hear the event of our petition to the King, and longer until the Congress shall determine otherwise. I am for a navy too, and I think that shutting our ports for a time will help us to a navy. If we leave our ports open, warm men will have their ships seized and moderate ones will be favored.

Lee. When you hoist out a glimmering of hope that the people are to be furnished from abroad, you give a check to our own manufactures. People are now everywhere attending to corn and sheep and cotton and linen.

Chase. A glove has been offered by the gentleman from Georgia, and I beg leave to discharge my promise to that gentleman, to answer his arguments. My position was this; that the gentleman's system would end in the total destruction of American liberty. I never shall dispute self-evident propositions.

The present state of things requires reconciliation or means to carry on war. Intelligence we must have; we must have powder and shot; we must support the credit of our money. You must have a navy to carry on the war. You can't have a navy says the gentleman. What is the consequence? I say, that we must submit. Great Britain, with twenty ships, can destroy all our trade, and ravage our seacoast; can block up all your harbors, prevent your getting powder. What is the consequence? That we should submit. You can't trade with nobody; you must trade with somebody; you can't trade with anybody but Great Britain, therefore, I say, we must submit. We can't trade with foreigners, the gentleman said. The whole train of his reasoning proved that we must break our whole association, as to exports and imports. If we trade with Great Britain, will she furnish us with

powder and arms? Our exports are about three millions; would Britain permit us to export to her, and receive cash in return? It would impoverish and ruin Great Britain. They will never permit a trade on our side, without a trade on theirs. Gentlemen from New York would not permit tobacco and naval stores to be sent to Great Britain; nothing that will support their naval power or revenue. But will not this break the Union? Would three Colonies stop their staple when the other Colonies exported theirs? Fifteen hundred seamen are employed by the tobacco Colonies—one hundred and twenty-five sail of British ships; but you may drop your staple, your tobacco; but it is difficult to alter old habits. We have a great number of female slaves that are best employed about tobacco. North Carolina cannot, will not, give up their staple. The gentleman from Georgia was for trading with Great Britain and all the world. He says we can't trade with any nation but Britain therefore we must trade with Britain alone. What trade shall we have, if we exclude Britain, Ireland, West Indies, British and foreign? Eastern Provinces might carry it on with a small fleet, if their harbors were fortified. Southern Colonies cannot. Eastern Colonies can't carry on their trade to that extent, without a naval power to protect them, not only on the coast, but on the ocean, and to the port of their destination. The same force that would assist the Eastern Colonies, would be of little service to us in summer time; it must be a small, narrow, and limited trade.

The best instrument we have, is our opposition by commerce. If we take into consideration Great Britain in all her glory; Commons voted eighteen, twenty millions last war; eighty thousand seamen, from her trade alone; her strength is all artificial, from her trade alone. Imports from Great Britain to the United Colonies are three millions per annum; fifteen millions to all the world; one fifth; three quarters is British manufactures. A thousand British vessels are employed in American trade; twelve thousand sailors; all out of employ. What a stroke! I don't take into view Ireland or West Indies. Colonies generally indebted about one year's importation; the revenue of tobacco alone half a million, if paid. North Britain enter less than the quantity, and don't pay what they ought; it employs a great number of manufacturers; reexported abroad, is a million; it is more. Eighty thousand hogsheads are reexported, and it pays British debts. The reexport employs ships, sailors, freight, commissions, insurance.

Ireland; the flax seed, forty thousand pounds sterling. Linen brought, two million one hundred and fifty thousand pounds from Ire-

land to England; yards, two hundred thousand. Ireland can raise some flax seed, but not much.

West Indies. Glover, Burke, and other authors. They depend for Indian corn and provisions and lumber, and they depend upon us for a great part of the consumption of their produce. Indian corn and fish are not to be had, but from the Colonies, except pilchards and herrings. Jamaica can best provide for her wants, but not entirely. Ireland can send them beef and butter, but no grain. Britain can send them wheat, oats; not corn, without which they cannot do.

Stop rum and sugar, how do you affect the revenue and the trade?

They must relax the Navigation Act, to enable foreign nations to supply the West Indies. This is dangerous, as it would force open a trade between foreigners and them.

Britain can never support a war with us, at the loss of such a valuable trade. African trade dependent upon the West India trade; seven hundred thousand pounds.

Twenty-five thousand hogshead of sugar are imported directly into these Colonies, and as much more, from Britain, manufactured. Jamaica alone takes one hundred and fifty thousand pounds sterling of our produce.

National debt, one hundred and forty millions; ten millions, the peace establishment; twenty millions, the whole current cash of the nation. Blackstone. I never read anybody that better understood the subject. For the state of the revenue he calculates the taxes of Ireland and England; taxes of Britain, perpetual and annual; funds, three, the aggregate, general, and South Sea; taxes, upon every article of luxuries and necessities. These funds are mortgaged, for the civil list, eight hundred thousand pounds, as well as the interest of the debt.

OCTOBER 27, 1775

R. R. Livingston. Clothing will rise, though provisions will fall; laborers will be discharged; one quarter part of Rhode Island, New York, and Pennsylvania, depend upon trade, as merchants, shopkeepers, shipwrights, blockmakers, riggers, smiths, &c. &c.: the six northern Colonies must raise nine millions of dollars to support the poor. This vote will stop our trade for fourteen months, although it professes to do it only to the 20th of March; for the winter, when the men of war cannot cruise upon the coast, is the only time that we can trade. Wealthy merchants and moneyed men cannot get the interest

of money. More virtue is expected from our people, than any people ever had. The low countries did not reason as we do about speculative opinions, but they felt the oppression for a long course of years, rich and poor.

Zubly. Concludes that the sense and bent of the people are against stopping trade, by the eagerness with which they exported before the 10th of September. We can't get intelligence without trade. All that are supported by trade, must be out of business. Every argument which shews that our association will materially affect the trade of Great Britain, will shew that we must be affected too, by a stoppage of our trade. Great Britain has many resources. I have bought two barrels of rice in Carolina for fifteen shillings, and negro cloth was three shillings instead of eighteen pence.

The West Indies will get supplies to keep soul and body together; the ingenious Dutchmen will smuggle some Indian corn from America. Is it right to starve one man because I have quarrelled with another? I have a great scruple whether it is just or prudent. In December, 1776, we shall owe between twenty and thirty millions of money.

J. Rutledge. Am for adhering to the Association, and going no further; the non export *in terrorem*, and generally agreed; the consequences will be dreadful if we ruin the merchants. Will not the army be supplied if vessels go from one Province to another? We may pass a resolution that no live stock shall be exported.

OCTOBER 30, 1775

Monday. *Ross.* We can't get seamen to man four vessels. We could not get seamen to man our boats, our galleys. *Wythe, Nelson,* and *Lee*, for fitting out four ships.

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May 29 and June 1.

Address to Canada.

46. Lettre / Addressée / Aux Habitans / Opprimés de la Province / de / Québec. / De la part du Congrès Général de l'Amérique Septentrionale, tenu à Philadelphie. / [Philadelphia: Fleury Mesplet. 1775.]

8°. pp. 7.

1,000 copies printed (with the addition of the resolve of June 1st), for distribution in Canada. See *Journals*, 29 May, 1775.

A copy is in the Library Company of Philadelphia.

As a curiosity may be noted an edition of Rousseau's "Du Contrat Social, ou Principes du Droit Politique," printed at Philadelphia, in 1775, "chez John Robert, Imprimeur du Congrès Général." I have not been able to trace any authority for the assumption of such a title.

June 12.

Resolve for a Fast-day.

47. In Congress, / Monday, June 12, 1775. / Philadelphia: Printed by William and Thomas Bradford. / [1775.]

F°. Broadside.

An imperfect copy (only one-half of the sheet) is in the Library of Congress, Papers of the Continental Congress, No. 23, folio 5.

48. In Congress, / Monday, June 12, 1775.

F°. Broadside.

June 12.

Address to Canada and Resolve for Fast-day.

49. In Congress, June 12, 1775 / [Philadelphia:] Printed by John Dunlap / [1775.]

F°. Broadside.

The English edition of the Address to Canada, with the resolve making July 20 a day of "Humiliation, Fasting, and Prayer." See Nos. 46 and 47.

¹The basis of these notes is Paul Leicester Ford's "Some materials for a bibliography of the official publications of the Continental Congress, 1774-1789," first issued in the Bulletin of Boston Public Library, and reissued in separate form in 1888.

June 30.

Rules for Troops.

50. Rules / and / Articles, / for the better / Government / of the / Troops / Raised, or to be raised, and kept in pay by and at / the joint Expence of the / Twelve united English Colonies / of / North-America. / Philadelphia: / Printed by William and Thomas Bradford, 1775. /

8°. pp. 16.

A copy is in the Library Company of Philadelphia.

In the Report of the Historical Manuscripts Commission, Fourteenth Report, Part X (Dartmouth Manuscripts), p. 322, mention is made of this issue, but seventeen pages are given to it.

51. Philadelphia, Printed: / New York. Reprinted by Hugh Gaine 1775.

8°. pp. 16.

July 6.

Declaration to Army.

52. A / Declaration / by the / Representatives / of the / United Colonies / of / North America, / now met in / General Congress / at Philadelphia, Seting [*sic*] forth the Causes and Necessity of their / taking up / Arms. / Philadelphia: / Printed by William and Thomas Bradford, 1775. /

8°. pp. (2), 13.

The committee appointed to prepare this Declaration, consisting of John Rutledge, William Livingston, Franklin, Jay, and Johnson, reported a draft on June 24, which, not being approved by the Congress, was recommitted, and Jefferson and Dickinson added to the Committee.

"On the 24th, a committee which had been appointed to prepare a declaration of the causes of taking up arms, brought in their report (drawn I believe by J. Rutledge) which not being liked, the House recommitted it, on the 26th, and added Mr. Dickinson and myself to the committee I prepared a draught of the declaration committed to us. It was too strong for Mr. Dickinson We therefore requested him to take the paper, and put it into a form he could approve. He did so, preparing an entire new statement, and preserving of the former only the last four paragraphs and half of the preceding one. We approved and reported it to Congress, who accepted it." Jefferson's "Autobiography."—*Works*, I, 11.

Two drafts of this paper, in the writing of Thomas Jefferson, are in the Jefferson Manuscripts, in the Library of Congress.

The manuscript of this Declaration, in the writing of John Dickinson, is in the New York Historical Society. It was reproduced in facsimile in George H. Moore's "Suum Cuique. John Dickinson the author of the Declaration on taking up arms in 1775. New York: Printed for the author. M DCCC XC."

Copies are in the Library of Congress and the Library Company of Philadelphia.

53. [Reprinted for Richard W. Roche by J. Munsell. Albany: 1865].

4° & 8°. pp. (2), 13, covers.

A copy of the octavo issue, of which 50 copies were printed, is in the Library of Congress.

54. A / Declaration / by the / Representatives / of the / United Colonies / of / North America, / now met in / General Congress, / at / Philadelphia: / Setting forth the Causes and Necessity of their taking up / Arms. / Newport: Printed by S. Southwick, in / Queen Street, 1775.

12°. pp. 11.

A copy is in the Massachusetts Historical Society.

55. A / Declaration / By The / Representatives / Of The / United Colonies / Of / North-America, / Now Met In / General Congress / At / Philadelphia, / Setting forth the Causes and Necessity of their / taking up / Arms. / Philadelphia: Printed. / Watertown: / Re-Printed and Sold by Benjamin Edes. / 1775.

8°. pp. 15.

Copies are in the Library of Congress and in the American Antiquarian Society, of Worcester, Mass.

July 8.

Petition to the King.

56. To the Inhabitants of the / Colony of / New York. / / Pierre Van Courtlandt, Chairman / Jan. 9, 1776.

8°. pp. 7, 8.

The only separate edition of the second petition to the King I have been able to find. It was printed (with the addition of a preliminary address, the address of the Mayor of London "To the Electors" and a portion of Chatham's speech) by the New York Committee of Safety "to correct the assertion that the Continental Congress had made no advances." *Paul Leicester Ford*.

A copy is in the New York Historical Society.

July 8.

Address to the People of England.

57. The / Twelve United Colonies, / By their Delegates in / Congress, / To the Inhabitants of / Great Britain. / [Philadelphia: W. and T. Bradford. 1775.]

8°. pp. 8.

The draft is said to have been written by Richard Henry Lee, and the manuscript was preserved for a number of years by the family; but its present location is not known.

A copy of the pamphlet is in the Library Company of Philadelphia.

58. The Twelve United Colonies, / by their / Delegates / in / Congress, / to the / Inhabitants / of / Great Britain. / Philadelphia: / Printed by William and Thomas Bradford. / M,DCC,LXXV.

8°. pp. 16.

59. An / Address / from / The Delegates / of the / Twelve United Colonies, / To the / People of England. / Newport: Printed by S. Southwick in / Queen Street, 1775.

8°. pp. 15.

Title from Hammett's "Bibliography of Newport."

July 15.

Partial suspension of Association.

60. [Whereas, the Government of Great Britain hath prohibited the exportation of Arms and Ammunition Resolved Philadelphia: Printed by W. and T. Bradford. 1775.]

Broadside.

A resolve allowing the exportation of produce to be exchanged for materials of war.

"Ordered, That a copy of the above be delivered to the Delegates of the Colony of Pennsylvania, who are desired to request the committee of this city to forward the same in handbills to the *West Indies*."—*Journal*.

July 28.

Address to People Of Ireland.

61. An / Address / of the / Twelve United Colonies / of / North-America, / By their Representatives / in / Congress, / To the People of / Ireland. / Philadelphia: / Printed by W. and T. Bradford. 1775.

8°. pp. (2), 10.

Copies are in the Library of Congress and the Library Company of Philadelphia.

62. An / Address / of the / Twelve United Colonies / of North-America, / by their / Representatives / in / Congress, / To the People of / Ireland. / Philadelphia: Printed. / Norwich: Re-printed by Robertsons and Trumbull. / M,DCC,LXXV.

A copy is in the Connecticut Historical Society.

63. New York. Reprinted. 1775

8°. pp. 10.

Title from Thomas, "History of Printing" (Haven's edition).

July 31.

Observations on Lord North's Motion.

64. The Several Assemblies of New-Jersey, / Pennsylvania and Virginia, having re- / ferred to the Congress a resolution of the

House of / Commons of Great Britain, which resolution / is in these words: / [Philadelphia: W. and T. Bradford. 1775.]

8°. pp. 8.

The draft, of this paper, in his own handwriting, is in the Jefferson MSS. in the Library of Congress.

July-August.

Method of Making Salt-Petre.

65. Several Methods / of Making / Salt-Petre; / recommended to the / Inhabitants / of the / United Colonies. / by their Representatives / In Congress. / Philadelphia: / Printed by W. and T. Bradford. 1775.

8°. pp. 12.

This contains some resolutions of Congress of July 28, 1775, on saltpeter, which were not entered in the manuscript *Journal*, or printed in any of the editions of that record.

A copy is in the Library of Congress.

66. Several methods / of making / salt-petre; / recommended to the / inhabitants / of the / United Colonies. / By the Honorable / Continental Congress. / And / Re-published by Order of the / General Assembly / of the / Colony of Massachusetts-Bay. / Together with the resolve of said Assembly, / and An appendix, / By Doctor William Whiting. / Watertown: Printed and Sold by Benjamin Edes, near the Bridge, / 1775.

8°. pp. 20.

Copies are in the Boston Public Library and the Boston Athenæum.

November 4.

Capitulation of Montreal.

67. Articles / of / Capitulation, / Made and entered into between Richard / Montgomery, Esquire, Brigadier Ge- / neral of the Continental Army, and the Citi- / zens and Inhabitants of Montreal / [Philadelphia:] Printed by John Dunlap. [1775.]

F°. Broadside.

A copy is in the Library of Congress.

November 7.

Rules for Troops.

68. Rules / and / Articles, / for the better / Government / of the / Troops / Raised, or to be raised, and kept in pay by and at /

the joint Expence of the / Thirteen United English Colonies / of North America. / Philadelphia: / Printed by William and Thomas Bradford, 1775. /

8°. pp. 16.

A revision of the Rules adopted June 30 (No. 50) with the additional ones adopted November 7, 1775.

A copy is in the Library Company of Philadelphia.

69. Rules / and / Articles, / for the Better / Government / of the Troops / Raised, or to be raised, and kept in pay by and / at the joint Expence of the / Twelve united English Colonies / of / North America. / Philadelphia, Printed: / New-York, Re-printed and sold by H. Gaine, / at the Bible and Crown, in Hanover-Square, / M,DCC,LXXV. /

8°. pp. 16.

A copy is in the New York Historical Society.

70. Rules / and / Articles, / for the better / Government / of the / Troops Raised, or to be raised, and kept in pay by and / at the joint Expence of the / Twelve United English Colonies / of / North-America. / Philadelphia, Printed: / Watertown: Re-printed and sold by Benjamin Edes, / near the Bridge. 1775.

12°. pp. 16.

A copy is in the Massachusetts Historical Society.

71. Réglement / Militaire / Concernant / La Police / et / La Discipline. / Que doivent observer les Troupes qui sont ou seront / dans la suite levées & payées par les Treize / Colonies Unies de l'Amerique Septentrionale / Traduit de l'Anglaise, Par F. Daymon. / A Philadelphie; / Chez Fleury Mesplet & Ch. Berger, / Imprimeurs & Libraires. / M,DCC,LXXVI.

8°. pp. 39.

"Resolved, That the articles of war be translated into French, and 500 copies sent to Canada"

"To Francis Daymon, for translating into French the rules and articles for the better regulating the Continental troops, the sum of 15½ dollars: To Mons. Mesplet, for printing the military rules, and French letters to the inhabitants of Canada, the sum of 44 dollars:"—*Journal*.

November, 24.

Intercepted Letters, etc.

72. Extract of a Letter from General Montgomery, dated Camp before St. John's, October 20, 1775 / / Articles proposed for his Majesty's / Garrison at Chambly / / An Account of Stores taken at Chambly. / / A List of Officers taken at

Chambly. / / Extract of a Letter from Gen. Montgomery, dated / Camp near St. John's, Nov. 3. 1775. / Articles of Capitulation, proposed by Major Charles / Preston for his Majesty's Fort of St-John's, in / the Province of Canada. / / Extracts of several Letters brought by Capt. / Robbins, in the schooner Two Sisters, lately seized by / an armed vessel in the service of the United Colonies. / Published by Order of Congress. / [Philadelphia: W. & T. Bradford. 1775.]

F°. Broadside.

"The Committee to whom the Intercepted Letters were referred brought in their Report; which being read and agreed to,

Resolved, That it be recommitted to the said Committee, and that they have the extracts agreed to published, together with an authentic account of the capture of Chambly and St. John's, and to have one thousand copies struck off, to go with the despatches."—*Journal*.

A copy is in the Library of Congress.

November 28.

Rules for Navy.

73. [Rules, for the Regulation of the Navy of the United Colonies. Philadelphia: W. and T. Bradford. 1775?]

I have been unable to find a copy.

December 6.

Declaration.

74. In Congress, / December 6, 1775. / [Philadelphia:] Printed by John Dunlap. [1775.]

F°. Broadside.

A declaration by the Congress in answer to the King of Great Britain's proclamation of August 23, 1775.

A copy is in the Library of Congress.

75. In Congress, / December 6, 1775.

Another edition, without imprint, and in three columns in place of two as in No. 74. A fragment is in the Library of Congress.

76. Extracts / from the / Proceedings of the American Continental / Congress, / Held at Philadelphia, on the Tenth Day of May, 1775. / Containing, An Address to the People of Ireland, an Address to the Lord-Mayor of London, and the Opinion of Congress on the boasted conciliatory Plan offered by Administration in Parliament, February / 20, 1775. / Providence / Printed by John Carter, at Shakespear's Head [1775.]

8°. pp. 22.

77. A / Declaration / by the / Representatives of the United / Colonies of North-America, / Now met in General Congress at / Philadelphia; / Setting forth the Causes and Necessity / of their taking up Arms. / Also, / An Address / from the / Twelve United Colonies, / By their Delegates in Congress, to the / Inhabitants of Great-Britain. / Philadelphia, printed by Wm. and Tho. Bradford, / and Bristol reprinted by W. Pine, 1775. / [Price Two-Pence.]

16°. pp. 16.

A copy is in the Library of Congress.

78. The / Declaration / by the / Representatives / of the / United Colonies of North America, / now met in / General Congress at Philadelphia, / Setting forth the / Causes and Necessity of taking up Arms. / The / Letter of the Twelve United Colonies / by their Delegates in Congress to the Inhabi- / tants of Great Britain, / Their Humble Petition to his Majesty, / and / Their Address to the People of Ireland. / Collected together for the Use of *Serious Thinking* Men, / By Lovers of Peace. / Read with Candour: Judge with Impartiality. / London: / Printed in the Year, MDCCLXXV.

8°. pp. vi, 32.

In addition to what is enumerated it also contains a prefatory note, "To the Public," and a "Prefatory Address from the London Association."

A copy is in the Library of Congress.

79. An die / Einwohner von Irland, / von / Den Abgeordneten der Vereinigten Colonien / Neuhamphshire, Massachusetts-Bay, Rhode- / Eyland und Provi- denz, Connecticut, Neu- / york, Neu-Jersey, Pennsylvanien, der / Niedern Graf- schaften an der Delaware, / Maryland, Virginien, Nord- und Sud- / Carolina, im General-Congreß zu Phila- / phia, den 1sten May, 1775. / Nebst der / Mei- nung des General-Congresses / betreffend / Einen Entschluß des Hauses der Ge- / meinen von Großbritannien, / vom 20sten February, 1775. / Philadelphia, / Gedruckt und zu bekommen bey Heinrich Miller, in / der Nees-straße, 1775.

16°. pp. 16.

Journal. May to July.

80. Journal / of the / Proceedings / of the / Congress, / held at / Philadelphia, / May 10, 1775. / [Cut.] / Philadelphia: / Printed and Sold, by William and Thomas / Bradford, at the London Coffee- House. / M,DCC,LXXV.

8°. pp. (4), iv, 239.

Publication was announced in the *Pennsylvania Packet*, 11 December, 1775.

81. Journal / of the / Proceedings / of the / Congress, / held at / Philadelphia, / May 10, 1775. / Wilmington, / Printed by James Adams, in High-street, 1776.

8°. pp. 10.

A copy is in the Library of Harvard University, Cambridge, Mass.

82. Journal / of the / Proceedings / of the / Congress, / held at / Philadelphia, / May 10, 1775. / Published by Order of the Congress. / Philadelphia: Printed; / London: Reprinted for J. Almon, opposite / Burlington-House in Piccadilly, 1776.

8°. pp. (4), 210, (8).

A copy is in the Library of Congress.

As pp. 159-168 are repeated in the numbering, the proper paging should be (4), 220, (8).

83. Extracts / from the / Votes and Proceedings / of the / American / Continental Congress, / held / At Philadelphia, 10th May, 1775. / Published by Order of Congress. / New-York: / Printed and Sold by John Anderson, / at Beekman's-Slip. / M,DCC,LXXV.

8°. pp. (2), 192.

Though this is called "Extracts," it is really the entire Journal.

Journal. September to December.

84. Journal / of the Congress, / of the / United States / of / America; / Continued. / Philadelphia: / Printed and Sold, by William and Thomas / Bradford, at the Coffee-House. / M,DCC,LXXVI.

8°. pp. (4), 218.

A copy is in the Pennsylvania Historical Society.

Journal. 1774-1775.

85. Journals / of / Congress. / Containing the / Proceedings from Sept. 5, 1774, to Jan. 1, 1776. Published by order of Congress. / Volume I. / Philadelphia: / Printed and sold by R. Aitken, Bookseller, Front-street. / M, DCC, LXXVII.

8°. pp. (2), 310, (12).

This is the first volume of the official edition, issued at the end of each year. I shall give each volume under the year at which the proceedings end, as they were practically separate works, but I shall also give a title and collation of the whole series, together with those of the reprints of 1800 and 1823, in the collected works, at the end of this list.

Members of the Congress.

86. A List of the Delegates who attended the Congress, / held at Philadelphia, May 10, 1775. [Philadelphia: 1775.]

8°. Broadside.

A copy is in the New York Public Library.

Rates of Postage of Continental Post-Office.

87. Tables / Of the Port of all Single Letters carried by Post in the Northern District of North America, / As Established by Congress, / One Thousand Seven Hundred and Seventy-five. / / [Signed] B. Franklin, / Post Master General. / [Philadelphia: 1775?]

F°. Broadside.

A copy is in the Library of Congress.

Directions for keeping Post-Office Accounts.

88. Directions to the Deputy Post-Masters, for keeping their accounts [signed] B. Franklin.

F°. Broadside.

A copy is in the Pennsylvania Historical Society.

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